FEDERAL REGISTER

VOLUME 13 NUMBER 212

Washington, Friday, October 29, 1948

TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 10013

ESTABLISHING THE PRESIDENT'S COMMITTEE ON RELIGIOUS AND MORAL WELFARE AND CHARACTER GUIDANCE IN THE ARMED FORCES

By virtue of the authority vested in me by the Constitution and the statutes, and as President of the United States and Commander in Chief of the armed forces, it is hereby ordered as follows:

1. It is hereby declared to be the policy of the Government to encourage and promote the religious, moral, and recreational welfare and character guidance of persons in the armed forces and thereby to enhance the military preparedness and security of the Nation.

2. There is hereby established the President's Committee on Religious and Moral Welfare and Character Guidance in the Armed Forces, which shall be composed of one representative of the National Military Establishment designated by the Secretary of Defense, one representative of the Federal Security Agency designated by the Federal Security Administrator, and not less than seven other members who shall be appointed by the President. The President shall designate one of the members of the Committee as Chairman thereof.

3. The Committee shall consider means of effectuating the policy set forth in paragraph 1 hereof through maximum feasible reliance upon facilities and services now existing in the fields of work concerned, confer and advise with the Secretary of Defense and the Secretaries of the Army, Navy, and Air Force with respect to such means, appraise the work being done toward the effectuation of the said policy, and make such recommendations to the President and the said Secretaries as it shall deem appropriate.

4. Agencies of the Government are requested to cooperate with the Committee and to furnish it such available information as it may require for the performance of its duties.

5. The National Military Establishment and the Federal Security Agency shall defray such necessary expenses of the Committee as may be authorized by law, including section 214 of the Independent Offices Appropriation Act, 1946 (59 Stat. 134, 31 U. S. C. 691).

HARRY S. TRUMAN

THE WHITE HOUSE,
October 27, 1948.

[F. R. Doc. 48-9570; Filed, Oct. 27, 1948; 3:44 p. m.]

TITLE 4—ACCOUNTS

Chapter I—General Accounting Office

PART 4—ACCOUNTS, AND CLAIMS

OCTOBER 27, 1948.

Part 4 is revised to read as follows:

Sec.
4.1 Accounts and claims; transmission to the General Accounting Office; notification to claimants.
4.2 Filing of claims.
4.3 Information relating to claims.
4.4 Settlement of claims.

AUTHORITY: §§ 4.1 to 4.4 issued under secs. 309, 311 (f), 42 Stat. 25; 31 U. S. C. 49, 52 (f).

§ 4.1 *Accounts and claims; transmission to the General Accounting Office; notification to claimants.* No payments involving a doubtful question of law or fact shall be hereafter made by any disbursing officer or agent of the United States except pursuant to specific statutory authority or by direction given in accordance with the provisions of the Budget and Accounting Act, 1921 (42 Stat. 20), to which reference must appear on the voucher covering such payment, and all such doubtful accounts or claims should be promptly transmitted or returned to the General Accounting Office complete with all material papers, administrative report in detail with recommendations, and quoting official title of available appropriation or fund, for direct settlement. Claimants should be briefly informed of such transmittal to the General Accounting Office, where jurisdiction is exclusive unless and until presented to a court of competent jurisdiction or to the Congress, and there should be no further administrative action other than such supplemental reports to the General Accounting Office as conditions may warrant as it may tend to complicate matters rather than aid the expediting of final action. Claims

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FEDERAL REGISTER

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A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

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will not be considered unless presented in writing over the bona fide signature and address of the claimant and only the claimant will be recognized therein except pursuant to his duly executed power of attorney.

§ 4.2 *Filing of claims.* Claims may be filed with the Claims Division, General Accounting Office, Washington 25, D. C., or if the claims pertain to postal matters with the Postal Accounts Division, General Accounting Office, Asheville, N. C. No particular form for filing claims, except that prescribed in connection with claims for amounts due deceased persons, is required.

§ 4.3 *Information relating to claims.* Information relating to claims may be obtained by claimants or their authorized representatives by addressing the General Accounting Office, 5th and F Streets NW., Washington 25, D. C. Interviews

will be accorded claimants or their authorized representatives at Room 201, at the same address.

§ 4.4 *Settlement of claims.* The settlement of claims is based upon the written record only and oral presentation of fact or law is not acceptable as a substitute. Claims are settled on the basis of the facts as established by reports of the Government office concerned and by evidence submitted by the claimant. The settlement of claims is founded on a determination of the legal liability of the United States under the factual situation involved as established by such reports. The burden is on claimants to prove their claims and matters incident thereto requisite to establishing the clear liability of the United States and claimants' rights to payment.

PART 6—CHECKS AND WARRANTS

Part 6 is revised to read as follows:

Sec.
6.1 Checks and warrants which should be forwarded to the Comptroller General of the United States.
6.2 Evidence required; warrants and checks containing error in name or designation of original payee.
6.3 Evidence required; deceased and incompetent payees.

AUTHORITY: §§ 6.1 to 6.3, inclusive, issued under secs. 309, 311 (f), 42 Stat. 25; 31 U. S. C. 49, 52 (f).

§ 6.1 *Checks and warrants which should be forwarded to the Comptroller General of the United States.* Warrants, checks drawn by the Treasurer of the United States upon warrants, and checks drawn by disbursing officers or agents of the United States, which cannot be paid because of death of original payee, disqualification, or error in name or designation of, should be forwarded to the Comptroller General of the United States, General Accounting Office, Washington 25, D. C., without alteration or correction, for authorization for payment to the party ascertained to be entitled to the proceeds of the warrant or check upon its indorsement by such party in the usual manner.

§ 6.2 *Evidence required; warrants and checks containing error in name or designation of original payee.* Such evidence as will satisfactorily establish the correct name or designation of the payee for the purposes of the payment as differentiated from the alleged erroneous one appearing on the face of the warrant or check shall be furnished.

§ 6.3 *Evidence required; deceased and incompetent payees.*

NOTE: Provisions covering evidence required; deceased and incompetent payees, are contained in Part 5 of this chapter.

LINDSAY C. WARREN,
Comptroller General of the United States.

[F. R. Doc. 48-9587; Filed, Oct. 28, 1948; 10:30 a. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 24—FORMAL EDUCATION REQUIREMENTS FOR APPOINTMENT TO CERTAIN SCIENTIFIC, TECHNICAL, AND PROFESSIONAL POSITIONS

MISCELLANEOUS AMENDMENTS

1. The following sections are hereby revoked: § 24.4 *Consultant in education, all grades;* § 24.18 *Office of Education;* § 24.25 *Educational Consultant, Grades P–7 and P–8, Army Air Forces;* § 24.58 *Educational Specialist, Air University, Army Air Forces, Maxwell Field, Montgomery, Alabama, P–210–0 (all grades),* § 24.59 *Educational Consultant, Civil Aeronautics Administration, P–210–4 and 5.*

2. The following section is hereby added:

§ 24.95 *Educational Specialist, P–210–0, all grades*—(a) *Educational requirement.* Applicants must have completed a full four-year course in an accredited college or university, which must have included or been supplemented by major study in education or in the particular field in which the duties as a specialist are to be performed.

(b) *Duties.* Educational specialists advise officials of school systems and community groups concerning technical phases of educational programs; conduct research and provide assistance in planning curriculum content and methods of teaching; and advise local officials in the application of approved educational methods for their individual school and community. These duties vary in nature and responsibility with the field and grade of the position.

(c) *Knowledge and training requisite for performance of duties.* The duties to be performed require knowledge or training in research, teaching, or administration of educational programs and a thorough knowledge of one or more specialized fields of vocational, general, or cultural subjects; comprehensive grasp of the written materials related to the specialized field; ability to impart this knowledge both formally and informally and an understanding of the relationship of special fields of knowledge to the needs of the school and community as a whole. This knowledge can be gained only through directed training in an accredited college or university. By such training the student, under competent instructors, is guided in his reading and evaluation of the literature, which is so voluminous that an individual cannot master it on his own initiative or by random study. The student has access to libraries and laboratories; is given opportunity to observe materials and methods of devising and implementing educational programs; and, in a controlled and supervised setting, can experiment for himself under professional guidance.

(Sec. 5, 58 Stat. 388; 5 U. S. C. Sup. 854)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] H. B. MITCHELL,
President.

[F. R. Doc. 48-9509; Filed, Oct. 28, 1948; 8:46 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter II—Production and Marketing Administration (Commodity Credit Corporation)

[1948 Cotton Loan Instructions, Supp. 2]

PART 256—COTTON LOANS

MISCELLANEOUS AMENDMENTS

The 1948 Cotton Loan Instructions (1948 C. C. C. Cotton Form 1) (13 F. R. 4338), as amended, are hereby further amended as follows:

1. Paragraph (b) (8) and paragraph (c) of § 256.221 are amended to read as follows:

§ 256.221 *Definitions.* * * *
(b) *Eligible cotton.* * * *
(8) The person tendering such cotton for a loan must not have previously executed and delivered, with respect to such cotton, a Form A, Cotton Producer's Note (C. C. C. Cotton Form E), or Producer's Warranty and Agreement (1948 C. C. C. Cotton Form G–2) and must not have previously sold and repurchased such cotton.

* * * * *

(c) *Approved lending agency.* An approved lending agency shall be any bank, corporation, partnership, association, or person, with which CCC has entered into a Cotton Lending Agency Agreement (C. C. C. Cotton Form DW) in the States of California and Arizona or a Lending Agency Agreement (C. C. C. Cotton Form D) in any State, covering loans on 1948 crop cotton. Organizations desiring to enter into such agreements should communicate with the PMA Commodity Office, Production and Marketing Administration, Masonic Temple Building, New Orleans 12, Louisiana (hereinafter referred to as the New Orleans Office).

2. Paragraph (a) of § 256.235 is amended by striking the title and inserting in lieu thereof "Form D" and paragraph (b) of § 256.235 is amended by striking the title and inserting in lieu thereof "Form DW"

3. The last sentence of § 256.236 is amended to read as follows:

§ 256.236 *Custodial offices.* * * * Federal Reserve Bank, Los Angeles, California, in the case of lending agencies which have entered into lending Agency Agreements (C. C. C. Cotton Form D) with CCC; the lending agency which made the loan or, if the note is purchased by CCC, the New Orleans Office, in the case of lending agencies which have entered into Cotton Lending Agency Agreements (C. C. C. Cotton Form DW) California and Arizona.

4. Section 256.237 is amended by striking the title of paragraphs (a) and (b) thereof and by revising the second sentence thereof to read as follows:

§ 256.237 *Repayments.* * * * Repayments of loans shall be made under paragraph (a) if the lending agency which made the loan entered into a Lending Agency Agreement (C. C. C. Cotton Form D) with CCC or shall be made under paragraph (b) if the lending agency which made the loan entered into a Cotton Lending Agency Agreement (C. C. C. Cotton Form DW) with CCC.

5. Section 256.241 is added to read as follows:

§ 256.241 *Farm storage loans.* Loans will also be made available to eligible producers on eligible cotton stored in approved farm structures and off-the-farm structures. Producers desiring to obtain such loans should communicate directly with the county committee in the county where the cotton is to be stored. The provisions of §§ 256.221 to 256.237, inclusive, and § 256.240, applicable to loans on warehouse stored cotton, will also be applicable to loans made under this section, except as follows:

(a) Instead of being represented by warehouse receipts as provided in paragraph (b) (2) of § 256.221, eligible cotton must be covered by a Cotton Chattel Mortgage (C. C. C. Cotton Form F) and a 1948 Cotton Mortgage Supplement (1948 C. C. C. Cotton Form FF) which will give the payee of the Cotton Producer's Note (C. C. C. Cotton Form E) secured by such mortgage a first lien on such cotton.

(b) Producers must deliver in connection with every loan:

(1) A Cotton Producer's Note meeting the requirements specified for Form A in paragraph (a) of § 256.222.

(2) A Cotton Chattel Mortgage covering the cotton tendered for the loan.

The words "American-Egyptian cotton" must be conspicuously stamped or typed at the top of each such form representing American-Egyptian cotton.

(c) The base loan rate for each county is shown in the Schedule of Base Loan Rates by Counties for Farm-Stored Cotton at the end of these Instructions.

(d) The county committees will administer the program in the counties. Producers desiring to obtain loans should communicate with the county committee in the county in which the cotton is to be stored. The county committee will inspect the storage structure and approve it if it determines that it is of such construction as to afford adequate storage for the cotton. The county committee will collect a service fee of $1.00 per bale, with a minimum of $3.00 per loan, from the producer to cover the cost of services rendered under the program.

(e) Producers may obtain the necessary loan forms from the county committees. The county committees will assist producers in the preparation of the loan documents and will collect fees at the rates shown in the schedule in § 256.227 for such services. Each Cotton Producer's Note must be approved by the county committee and the member signing such form in the space provided certifies that the producer is, to the best of the committee's knowledge and belief, eligible for a loan on the cotton.

(f) A deposit of $1.00 per bale will be collected from the producer to guarantee delivery of the cotton in the event the loan is not repaid by the producer. This deposit will be refunded to the producer if the loan is repaid or the cotton is delivered in accordance with the provisions of the Cotton Mortgage Supplement.

(g) The List of Lienholders and Lienholders' Waiver on the Cotton Mortgage Supplement shall be completed in the manner specified in § 256.228.

(h) The cotton must be classified by a Board of Cotton Examiners as provided in § 256.230, except that samples will be drawn by the county committee and forwarded to the Board for classification where the producer does not have a Form 1 Classification Memorandum. A charge of 20 cents per bale will be collected from the producer on all such cotton from which samples are submitted for classification except cotton from which samples are submitted for Form 1 classification.

(i) Where the producer does not own the premises where the cotton is stored and his lease on such premises expires prior to September 30, 1949, the owner must execute the Consent for Storage on the Cotton Mortgage Supplement. Any other tenant who has a right or interest in the premises must also execute the Consent for Storage.

(j) If the producer is listed on the county debt register as indebted to the United States or any agency or corporation thereof, he shall designate such agency or corporation as the payee of the proceeds of the loan to the extent of such indebtedness, but not to exceed that portion of the proceeds remaining after deduction of fees and amounts due prior lienholders. Indebtedness owing to CCC shall be given first consideration after claims of prior lienholders.

(k) Loans may be obtained from approved lending agencies, which may sell the notes to CCC, or directly from CCC. Where a loan is obtained from a lending agency, the lending agency shall execute the Payee's Certificate and Endorsement on the Cotton Producer's Note. The lending agency may carry its investment in the loan and receive interest at the rate of 1½ percent per annum. Where the producer desires to obtain a loan directly from CCC, the county committee will forward the loan documents for the producer.

(l) The producer will be responsible for any loss or damage occurring as a result of his fault or negligence or as a result of any cause other than fire, flood, lightning, explosion, windstorm, cyclone, or tornado, except that he will not be responsible for loss in weight of not to exceed 10 pounds which is due to natural shrinkage. The conversion or unlawful disposition of any bale of the cotton will render the producer personally liable for the payment of the mortgage indebtedness.

(m) If the producer does not repay his loan on maturity, he is required to deliver the cotton in accordance with the provisions of the Cotton Mortgage Supplement. If the cotton is not delivered by the producer, the holder of the note may enter on the premises where the cotton is stored and remove the cotton. Upon such delivery or removal, the holder may dispose of the cotton in accordance with the provisions of § 256.226.

(n) In the event CCC becomes the holder of the note, it will, upon delivery of the cotton in accordance with the Cotton Mortgage Supplement, make a storage payment to the producer at the rate of 10 cents a bale for each month or fraction thereof between the date of disbursement of the proceeds of the note and the maturity of the note, provided the producer has not made a misrepresentation or converted any bale of the cotton.

(o) Cotton Producer's Notes evidencing loans under this section shall be tendered to CCC by the lending agencies in the manner specified in § 256.235 for tender of Form A notes, except that the Cotton Chattel Mortgages securing the notes shall be attached instead of warehouse receipts.

(p) The custodian office for all farm stored cotton shall be the New Orleans Office.

(q) If a producer desires to repay his loan and obtain the release of the cotton, he may obtain complete instructions from the county committee for the county in which the cotton is stored. Partial releases will be allowed.

(Sec. 302, 52 Stat. 43, as amended, sec. 8, 56 Stat. 767, as amended, sec. 4 (a), 55 Stat. 498, as amended, sec. 1 (b), 62 Stat. 1247, 62 Stat. 1070; 7 U. S. C. 1302, 50 U. S. C. App. 968, 15 U. S. C. 713a–8 (a))

Issued this 26th day of October 1948.

[SEAL] ELMER F. KRUSE,
Manager,
Commodity Credit Corporation.

Approved: October 26, 1948.

RALPH S. TRIGG,
President,
Commodity Credit Corporation.

SCHEDULE OF BASE LOAN RATES BY COUNTIES FOR FARM STORED COTTON, 1948 COTTON LOAN PROGRAM

(ALL RATES EXPRESSED IN CENTS PER POUND, GROSS WEIGHT, BASIS MIDDLING, WHITE AND EXTRA WHITE, 15/16-INCH COTTON)

ALABAMA

31.17	In all counties east of De Kalb, Marshall, Blount, St. Clair, Shelby, Coosa, Elmore, Macon, Bullock, and Barbour.
31.08	In the counties of De Kalb, Marshall, Blount, St. Clair, Shelby, Coosa, Elmore, Macon, Bullock, and Barbour.
30.99	In the counties of Madison, Jackson, Morgan, Cullman, Jefferson, Bibb, Chilton, Autauga, Montgomery, Pike, Coffee, Dale, Henry, Geneva, and Houston.
30.90	In the counties of Limestone, Lawrence, Winston, Walker, Fayette, Tuscaloosa, Hale, Perry, Dallas, Lowndes, Butler, Crenshaw, and Covington.
30.81	In the counties of Lauderdale, Colbert, Franklin, Marion, Lamar, Pickens, Greene, Sumter, Marengo, Choctow, Wilcox, Monroe, Clarke, Washington, Escambia, and Conecuh.
30.71	In the counties of Mobile and Baldwin.

ARIZONA

30.02	In all counties.

ARKANSAS

30.65	In the counties of Craighead, Crittenden, Cross, Greene, Lee, Mississippi, Monroe, Phillips, Poinsett, St. Francis, and Woodruff.
30.63	In the counties of Arkansas, Clay, Cleveland, Desha, Jackson, Jefferson, Lawrence, Lincoln, Lonoke, Prairie, Pulaski, and White.
30.62	In the county of Chicot.
30.60	In all counties not listed above.

CALIFORNIA

30.02 In all counties.

FLORIDA

31.09 In all counties east of Jackson, Liberty, and Franklin.
30.99 In the counties of Bay, Calhoun, Franklin, Gulf, Holmes, Jackson, Liberty, and Washington.
30.90 In the county of Walton.
30.81 In the county of Okaloosa.
30.71 In the counties of Santa Rosa, and Escambia.

GEORGIA

31.34 In all counties east of Union, Lumpkin, Dawson, Forsyth, Gwinnett, Walton, Morgan, Putnam, Hancock, Jefferson, Glascock, and Burke.
31.27 In all counties, except Dade and counties having a rate of 31.34 north of Stewart, Webster, Sumter, Dooly, Wilcox, Telfair, Wheeler, Montgomery, Toombs, Tattnall, Evans, and Bryan.
31.18 In all counties south of Chattahoochee, Marion, Schley, Macon, Houston, Pulaski, Dodge, Laurens, Treutlen, Emanuel, Candler, Bullock, Effingham, and Chatham, and north of Quitman, Randolph, Calhoun, Baker, Mitchell, Colquitt, Cook, Berrien, Atkinson, Ware, Pierce, Brantley, and Glynn.
31.17 In the county of Dade
31.09 In all counties south of Stewart, Webster, Terrell, Dougherty, Worth, Tift, Irwin, Coffee, Bacon, Appling, Wayne, and McIntosh.

KENTUCKY

30.70 In all counties.

LOUISIANA

30.67 In the Parishes of East Baton Rouge, East Feliciana, Livingston, Orleans, St. Helena, St. Tammany, Tangipahoa, Washington, and West Feliciana.
30.62 In the Parishes of Concordia, East Carroll, Madison, and Tensas.
30.61 In the Parish of West Carroll.
30.60 In all Parishes not listed above.

MISSISSIPPI

30.71 In the counties of Alcorn, Attala, Benton, Calhoun, Carroll, Chickasaw, Choctaw, Clay, De Soto, Grenada, Itawamba, Kemper, Lafayette, Lauderdale, Leake, Lee, Lowndes, Madison, Marshall, Monroe, Montgomery, Neshoba, Noxubee, Oktibbeha, Panola, Pontotoc, Prentiss, Tate, Tippah, Tishomingo, Union, Webster, Winston, and Yalobusha.
30.68 In the counties of Clarke, Copiah, Covington, Forrest, George, Greene, Hinds, Jackson, Jasper, Jefferson Davis, Jones, Lamar, Lawrence, Lincoln, Marion, Newton, Perry, Pike, Rankin, Scott, Simpson, Smith, Stone, Walthall, and Wayne.
30.67 In the counties of Adams, Amite, Bolivar, Claiborne, Coahoma, Franklin, Hancock, Harrison, Holmes, Humphreys, Issaquena, Jefferson, Leflore, Pearl River, Quitman, Sharkey, Sunflower, Tallahatchie, Tunica, Warren, Washington, Wilkinson, and Yazoo.

MISSOURI

30.65 In the counties of Dunklin, New Madrid, and Pemiscot.
30.63 In the counties of Butler, Mississippi, Scott, and Stoddard.
30.60 In all counties not listed above.

NEW MEXICO

30.38 In the counties of Chaves, Curry, De Baca, Eddy, Lea, Quay, and Roosevelt.
30.37 In all counties not listed above.

NORTH CAROLINA

31.44 In all counties west of Granville, Wake, Harnett, Hoke, and Scotland.
31.37 In all counties east of Person, Durham, Chatham, Lee, Moore, and Richmond.

OKLAHOMA

30.60 In all counties east of Kay, Noble, Logan, Oklahoma, Cleveland, McClain, Garvin, Murray, Carter, and Love.
30.53 In all counties west of Osage, Pawnee, Payne, Lincoln, Pottawatomie, Pontotoc, Johnston, and Marshall; and east of Woods, Woodward and Ellis.
30.51 In all counties west of Alfalfa, Major, Dewey, and Roger Mills.

SOUTH CAROLINA

31.44 In all counties west of Marlboro, Darlington, Lee, Sumter, Calhoun, Orangeburg, and Barnwell.
31.37 In all counties east of Chesterfield, Kershaw, Richland, Lexington, and Aiken.

TENNESSEE

31.17 In all counties east of Marion, Sequatchie, Bledsoe, Cumberland, Morgan, and Scott.
31.03 In the counties of Marion, Sequatchie, Grundy, Bledsoe, and Cumberland.
30.99 In the counties of Franklin, Coffee, Warren, Van Buren, White, and Overton.
30.90 In the counties of Lincoln, Giles, Moore, Bedford, Marshall, Rutherford, Cannon, De Kalb, and Wilson.
30.81 In the counties of Lawrence, Wayne, Lewis, Perry, Hickman, Humphreys, Dickson, Davidson, Williamson, and Maury.
30.71 In the counties of Hardin, Decatur, Chester, Fayette, Hardeman, Henderson, McNairy, Madison, and Shelby.
30.70 In the counties of Benton, Stewart, Carroll, Crockett, Dyer, Gibson, Haywood, Henry, Lake, Lauderdale, Obion, Tipton, and Weakley.

TEXAS

30.60 In all counties east of Montague, Denton, Dallas, Ellis, Navarro, Anderson, Houston, Trinity, Walker, Grimes, Waller, Fort Bend, and Brazoria.
30.53 In all counties west of Cooke, Collin, Rockwall, Kaufman, Henderson, Cherokee, Angelina, Polk, San Jacinto, Montgomery, Harris, and Galveston; and east of Childress, Cottle, Knox, Haskell, Jones, Taylor, Coleman, San Saba, Llano, Gillespie, Kendall, Bexar, Wilson, Karnes, Goliad, Bee, and San Patricio.
30.51 In the counties of Childress, Cokc, Coleman, Collingsworth, Concho, Cottle, Dickens, Donley, Fisher, Gillespie, Gray, Hall, Haskell, Jones, Kendall, Kent, Llano, Knox, King, McCulloch, Mason, Mitchell, Motley, Nolan, Runnels, San Saba, Scurry, Stonewall, Taylor, Tom Green, and Wheeler.
30.49 In the counties of Bee, Bexar, Goliad, Karnes, Nueces, San Patricio, and Wilson.
30.46 In all counties west of Gray, Donley, Hall, Motley, Dickens, Kent, Scurry, Mitchell, Coke, Tom Green, Mason, Gillespie, Kendall, Bexar, Wilson, Karnes, Bee, San Patricio, and Nueces; and east of Winkler, Ward, Pecos, Terrell, and Val Verde.
30.44 In the counties of Loving, Pecos, Reeves, Terrell, Ward, Winkler, and Val Verde.
30.37 In the counties of Brewster, Culberson, El Paso, Hudspeth, Jeff Davis, and Presidio.

VIRGINIA

31.37 In all counties.

[F. R. Doc. 48-9544; Filed, Oct. 23, 1948; 8:55 a. m.]

[1948 Cotton Loan Instructions, Supp. 3]

PART 256—COTTON LOANS

LOANS ON BILLS OF LADING

The 1948 Cotton Loan Instructions (1948 C. C. C. Cotton Form 1) (13 F. R. 4338), as amended, are hereby further amended by adding § 256.242 to read as follows:

§ 256.242 *Loans on bills of lading.* Loans will also be made available to eligible producers on eligible cotton represented by bills of lading evidencing shipment of the cotton by the producers to warehouses where storage space is available. Such loans will be available only in areas specified by CCC where there is a shortage of storage space and where necessary arrangments may be made with the railroads. The provisions of §§ 256.221 to 256.237, inclusive, and 256.240, applicable to loans on warehouse stored cotton will also be applicable to loans under this section, except as follows:

(a) Instead of being represented by warehouse receipts as provided in paragraph (b) (2) of § 256.221, eligible cotton must be represented by bills of lading complying with the provisions of this section, and such bills of lading shall be delivered by producers in connection with every loan, instead of warehouse receipts as provided in paragraph (b) of § 256.222.

(b) Cotton will be eligible for a loan under this section at the full loan rate at the shipping point only when it is shipped by an approved receiving agency as agent for the producer. Warehousemen, ginners, and other responsible parties in areas where such loans are available may be approved to act as receiving agencies by the New Orleans Office. Receiving agencies will enter into Receiving Agency Agreements with CCC. When receiving agencies are approved, notification will be given by letter or published lists.

(c) A producer who is unable to find storage space in his local area and who wishes to obtain a loan under this section should deliver his cotton to a receiving agency with the request that it ship the cotton as agent for the producer to a warehouse where storage space is available. The receiving agency will complete the Schedule of Pledged Cotton on a Form A and, if it is a warehouseman, will execute the Warehouseman's Certificate and Storage Agreement thereon. If the receiving agency is not a warehouseman, it will have the cotton weighed by a public or licensed weigher and will secure a Weight and Condition Certificate in the form prescribed by CCC. The receiving agency will ship the cot-

ton, secure order notify bills of lading in a form acceptable to CCC, and deliver the bills of lading, Forms A, and Weight and Condition Certificates (if any) to the producer. Transportation costs will be charged against the cotton. If the receiving agency is a warehouseman, it will be permitted to collect fees in accordance with the Warehouseman's Certificate and Storage Agreement and a fee of not to exceed 10 cents a bale to cover the cost of preparation of shipping documents. If the receiving agency is not a warehouseman, it will be permitted to collect a fee not to exceed the fee set forth in the Receiving Agency Agreement executed by the receiving agency and shall post, in a conspicuous place, the fee to be charged producers.

(d) CCC will pay warehouse storage charges on cotton tendered by the producer for a loan under this section, where the receiving agency is a warehouseman.

(e) The cotton must be classified by a Board of Cotton Examiners as provided in § 256.230, except that samples will be drawn by the receiving agency and submitted to the Board for classification where the producer does not have a Form 1 Classification Memorandum. A charge of 20 cents per bale shall be collected from the producer and paid to the Board of Cotton Examiners for all cotton from which samples are submitted for classification, except cotton from which samples are submitted for Form 1 classification.

(f) The receiving agency shall type or stamp at the top of each Form A which it prepares the following: "Wherever the term 'warehouse receipts' occurs in the Producer's Note or in the Loan Agreement, it shall be read and construed as 'bills of lading'"

(g) Forms A evidencing loans under this section shall be tendered to CCC by the lending agencies in the manner specified in § 256.235, except that the bills of lading representing the cotton (and Weight and Condition Certificates if the receiving agency was not a warehouseman) shall be attached instead of warehouse receipts, and notes secured by bills of lading and notes secured by warehouse receipts shall be listed on separate Forms C.

(h) Repayment of loans and release of the loan documents shall be made in accordance with the provisions of § 256.237. (Sec. 302, 52 Stat. 43, as amended, sec. 8, 56 Stat. 767, as amended, sec. 4 (a) 55 Stat. 498, as amended, sec. 1 (b) 62 Stat. 1247, 62 Stat. 1070; 7 U. S. C. 1302, 50 U. S. C. App. 968, 15 U. S. C. 713a-8 (a))

Issued this 26th day of October 1948.

[SEAL] ELMER F. KRUSE,
Manager
Commodity Credit Corporation.

Approved: October 26, 1948.

RALPH S. TRIGG,
President,
Commodity Credit Corporation.

[F. R. Doc. 48-9543; Filed, Oct. 28, 1948; 8:55 a. m.]

[1948 C. C. C. Dry Edible Bean Bulletin 1, Amdt. 1]

PART 276—DRY BEAN LOAN AND PURCHASE AGREEMENTS

1948 DRY EDIBLE BEAN PRICE SUPPORT PROGRAM

The bulletin issued by Commodity Credit Corporation and the Production and Marketing Administration, published in 13 F R. 5256, containing the requirements of the 1948 dry edible bean price support program, is amended as follows:

1. Under § 276.202 *Availability of loans and purchases,* paragraph (a) *Area* is amended to include the state of Kansas in the area in which loans and purchase agreements will be available to producers.

2. Under § 276.208 *Determination of quantity under loan,* the first sentence is revised to read as follows: "Loans shall be made on the basis of sound beans except as provided in paragraph (b) of this section."

3. Paragraph (b) *Warehouse—stored,* is amended by substituting a comma for the period at the end of the paragraph and adding the following: "except that the quantity shall be the net weight of beans when the warehouse receipt or supplemental certificate shows a grade of U. S. No. 2 or better, and the warehouseman guarantees both grade and quantity."

4. Under § 276.212 *Loan and settlement rates,* paragraph (a) *Loan rate,* is amended to read as follows:

(a) *Loan rate.* (1) On beans stored in approved warehouses which are evidenced by warehouse receipt(s) under which the warehouseman guarantees both grade and quantity, loans will be made at rates equal to the settlement rates specified in paragraph (b) of this section, provided the beans grade U. S. No. 2 or better and the producer has paid all charges against the beans through April 30, 1949, including processing, bags, bagging, storage, freight, and loading-out charges, or directs the payment of such charges from the proceeds of the loan.

(2) The loan rate for all other eligible beans shall be $5.00 per 100 pounds of sound beans.

5. Paragraph (b) *Settlement rate,* is amended by adding the following paragraph at the end of the paragraph:

If beans are stored in transit in an approved warehouse, the producer shall be credited at the time of settlement with the value to CCC of the transit billing as determined by CCC.

(Sec. 4 (a) 55 Stat. 498, as amended, sec. 1 (b) Pub. Law 897, 80th Cong., sec. 5 (a) Pub. Law 806, 80th Cong., 15 U. S. C. 713 a-8 (a))

Issued this 26th day of October 1948.

[SEAL] ELMER F. KRUSE,
Manager,
Commodity Credit Corporation.

Approved: Oct. 26, 1948.

RALPH S. TRIGG,
President,
Comodity Credit Corporation.

[F. R. Doc. 48-9545; Filed, Oct. 28, 1948; 8:56 a. m.]

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices)

PART 29—TOBACCO INSPECTION

DESIGNATION OF WEST JEFFERSON, N. C., TOBACCO MARKET

Upon a referendum conducted, pursuant to prior notice (13 F. R. 5495), during the period October 5 through October 7, 1948, among tobacco growers who, during the 1947 marketing season, sold tobacco at auction on the market at West Jefferson, North Carolina, it is found that more than two-thirds of the growers voting in such referendum favor the designation of such market under section 5 of the Tobacco Inspection Act (49 Stat. 731, 7 U. S. C. 511 et seq.) for the mandatory inspection and certification of tobacco sold on such market. Therefore, pursuant to the authority vested in the Secretary of Agriculture, and for the purposes of said act, the orders of designation of tobacco markets (7 CFR Cum. Supp., 29.301, 9 F R. 11571, 10 F R. 11104; 11 F R. 7967; 11 F R. 8712; 11 F R. 13099; 12 F R. 4015; 13 F R. 2579; 13 F R. 2963; and 13 F R. 4498) are amended by adding thereto at the end thereof the following paragraph (ff)

§ 29.301 *Designation of tobacco markets.* * * *

(ff) *The tobacco market at West Jefferson, North Carolina.* Effective 30 days after October 29, 1948, no tobacco of any type shall be offered for sale at auction on the market at West Jefferson, North Carolina, until such tobacco shall have been inspected and certified by an authorized representative of the U. S. Department of Agriculture according to standards established under the Tobacco Inspection Act (49 Stat. 731, 7 U. S. C. 511 et seq.): *Provided, however,* That such requirement of inspection and certification may be suspended at any time when it is found impracticable to provide inspection or when the quantity of tobacco available for inspection is not sufficient to justify the cost of such service. No fee or charge shall be imposed or collected for the inspection and certification of tobacco sold or offered for sale at auction on the market designated above.

(49 Stat. 731, 7 U. S. C. 511 et seq.)

Issued this 25th day of October 1948.

[SEAL] A. J. LOVELAND,
Acting Secretary of Agriculture.

[F. R. Doc. 48-9511; Filed, Oct. 28, 1948; 8:47 a. m.]

PART 29—TOBACCO INSPECTION

DESIGNATION OF LONDON, KY., TOBACCO MARKET

Upon a referendum conducted, pursuant to prior notice (13 F. R. 5495), during the period October 5 through October 7, 1948, among tobacco growers who, during the 1947 marketing season, sold tobacco at auction on the market at London, Kentucky, it is found that more than two-thirds of the growers voting

in such referendum favor the designation of such market under section 5 of the Tobacco Inspection Act (49 Stat. 731; 7 U. S. C. 511 et seq.) for the mandatory inspection and certification of tobacco sold on such market. Therefore, pursuant to the authority vested in the Secretary of Agriculture, and for the purposes of said act, the orders of designation of tobacco markets (7 CFR Cum. Supp., 29.301, 9 F. R. 11571, 10 F. R. 11104; 11 F. R. 7967; 11 F. R. 8712; 11 F. R. 13099; 12 F. R. 4015; 13 F. R. 2579; 13 F. R. 2963; and 13 F. R. 4498) are amended by adding thereto at the end thereof the following paragraph (ee)

§ 29.301 *Designation of tobacco markets.* * * *

(ee) *The tobacco market at London, Kentucky.* Effective 30 days after October 29, 1948, no tobaco of any type shall be offered for sale at auction on the market at London, Kentucky, until such tobacco shall have been inspected and certified by an authorized representative of the U. S. Department of Agriculture according to standards established under the Tobacco Inspection Act (49 Stat. 731; 7 U. S. C. 511 et seq.) *Provided, however* That such requirement of inspection and certification may be suspended at any time when it is found impracticable to provide inspection or when the quantity of tobacco available for inspection is not sufficient to justify the cost of such service. No fee or charge shall be imposed or collected for the inspection and certification of tobacco sold or offered for sale at auction on the market designated above.

(49 Stat. 731; 7 U. S. C. 511 et seq.)

Issued this 25th day of October 1948.

[SEAL] A. J. LOVELAND,
Acting Secretary of Agriculture.

[F. R. Doc. 48-9512; Filed, Oct. 28, 1948; 8:47 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

[Departmental Reg. 108.77]

REDESIGNATION OF PARTS

Under authority contained in R. S. 161 (5 U. S. C. 22) and pursuant to Executive Order 9930 of February 4, 1948 (13 F. R. 519) governing the 1949 edition of the Code of Federal Regulations and to the Federal Register Regulations of October 12, 1948 (13 F. R. 5929) the parts of the Code comprising Chapter I of Title 22 are hereby renumbered as follows:

Old part No.	New part No.	New part heading
8	1	Certificates of Authentication.
10	62	Tort Claims: Claims Cognizable under the Federal Tort Claims Act and the Small Claims Act, and Claims Cognizable only under the Act of June 19, 1937.
11	5	Books, Maps, Newspapers, Etc.
12	2	Fees for Services.
16	7	Complaints Against an Employee by an Alleged Creditor.
19	50	Nationality Under the Act of 1940.
21	15	Flags.
22	80	Trading with the Enemy.
23	30	Advice to Foreign Governments by American Citizens.
24	31	Notification of Foreign Official Status.
25	9	Deposit of Funds.
23	65	Payments to and on Behalf of Participants in the Cultural-Cooperation Program.
29	60	Foreign Students.
30	20	Stolen Property under Treaty with Mexico.
32	52	Passports: Validation and Issuance in Wartime.
33	51	Passports.
44	10	Study and Research in the Department of State.
55	70	Trade Agreements: Public Notice and Presentation of Views.
57	81	Removal of Alien Enemies Brought to the United States from other American Republics.
58	53	Control of Persons Entering and Leaving the United States in Wartime.
60	40	Visas: Diplomatic.
61	42	Visas: Documentation of Aliens Entering the United States.
63	(1)	Visas: Documentation of Aliens Entering the United States as Seamen or Airmen.
65	43	Visas: Documentation of Alien Seamen and Airmen Entering the United States.
68	44	Visas: Waiver or Reduction of Fees for Nonimmigrants.
100	100	Examinations for the Appointment of Foreign Service Officers.
101 to 122	101 to 122	[Foreign Service Regulations.]
201	75	International Traffic in Arms, Ammunition, and Implements of War.
202	76	Exportation of Helium Gas.
203	77	Exportation of Tin-Plate Scrap.
204	78	Exportation of Commodities Involving Military Secrets.
301	90	Reparations: World War II.
401	95	Aid to War-Devastated Countries.

[1] Present §§ 63.51-63.53, are in process of revocation by the Secretary of State.

New Parts 1–100 will comprise Subchapter A of Chapter I. The Department.

New Parts 101 et seq. will comprise Subchapter B of Chapter I: The Foreign Service.

The codification of old Parts 1 and 3, entitled respectively "Functions and Organization" and "Procedure" has been discontinued. Future amendments of such material will appear in the notice section of the FEDERAL REGISTER.

The part numbers of Title 22 of the Code of Federal Regulations issued hereafter by the Secreary of State, will conform with the new numbers assigned herein.

This regulation will become effective immediately upon publication in the FEDERAL REGISTER.

Approved: October 25, 1948.

For the Acting Secretary of State.

[SEAL] JOHN E. PEURIFOY,
Assistant Secretary.

[F. R. Doc. 48-9520; Filed, Oct. 28, 1948; 8:50 a. m.]

DISCONTINUANCE OF CODIFICATION OF CERTAIN PARTS

EDITORIAL NOTE: Codification of the following parts or sections is discontinued:

1. Part 59—Visas, Diplomatic: Reentry into the United States.

2. Sections 63.1–63.6 of Part 63—Visas: Documentation of Aliens Entering the United States as Seamen or Airmen.

3. Part 67—Visas: Documents Required of Aliens Entering the Philippine Islands.

4. Part 70—Trade Agreements; Public Notice and Presentation of Views (formerly Part 55).

[Departmental Reg. 103.78]

PART 5—BOOKS, MAPS, NEWSPAPERS, ETC.

Under authority contained in R. S. 161 (5 U. S. C. 22) present Part 5 (old Part 11) of Title 22 of the Code of Federal Regulations is hereby amended to read as follows.

§ 5.1 *Purchase.* The purchase by the Department of State of books, maps, newspapers, periodicals, and other publications shall be made without regard to the provisions of the act approved March 3, 1933 (sec. 2, 47 Stat. 1520; 41 U. S. C. 10a), since determination has been made by the Secretary, as permitted by the provisions of the act, that such purchase is inconsistent with the public interest. (R. S. 161; 5 U. S. C. 22)

This part shall become effective immediately upon publication in the FEDERAL REGISTER.

Approved: October 25, 1948.

For the Acting Secretary of State.

[SEAL] JOHN E. PEURIFOY,
Assistant Secretary.

[F. R. Doc. 48-9519; Filed, Oct. 28, 1948; 8:50 a. m.]

[Departmental Reg. 103.79]

PART 7—COMPLAINT AGAINST AN EMPLOYEE BY AN ALLEGED CREDITOR

Under authority contained in R. S. 161 (5 U. S. C. 22), present Part 7 (old Part 16) of Title 22 of the Code of Federal Regulations is hereby amended to read as follows:

Sec.
7.1 No cognizance taken of complaint.
7.2 Claimants denied access to employees.

§ 7.1 *No cognizance taken of complaint.* The Department of State will take no cognizance of a complaint against an employee by an alleged creditor, so far as the complainant is concerned, beyond acknowledging receipt of his communication. (R. S. 161, 5 U. S. C. 22)

§ 7.2 *Claimants denied access to employees.* Persons claiming to be creditors or collectors of debts or claims will be denied access to employees for the purpose of presenting or collecting claims during the hours set apart for the transaction of public business or while the employees concerned are on duty. (R. S. 161; 5 U. S. C. 22)

Approved: October 25, 1948.

For the Acting Secretary of State.

[SEAL] JOHN E. PEURIFOY,
Assistant Secretary.

[F. R. Doc. 48-9518; Filed, Oct. 28, 1948; 8:50 a. m.]

[Departmental Reg. 108.80]

PART 9—DEPOSIT OF FUNDS

Under authority contained in R. S. 161 (5 U. S. C. 22) and pursuant to Order of the Secretary of the Treasury, approved by the President February 21, 1934, and Executive Orders 6166 of June 10, 1933, 6224 of July 27, 1933, and 6540 of December 28, 1933 (5 U. S. C. 132 note), Part 9 (old Part 25) of Title 22 of the Code of Federal Regulations is hereby amended to read as follows:

§ 9.1 *Checks made payable to the Secretary of State.* In all cases where the Department of State requests that funds be deposited with it in connection with letters rogatory, taking of testimony, payment for cables sent and received, passport fees, or for any other purpose, the depositor is to be requested to make the checks, drafts, or money orders remitted therefor payable to the Secretary of State of the United States and to send them to the Department of State for action and deposit. The Chief or Acting Chief of the Division of Finance, or his designee, is hereby authorized to endorse to the Treasurer of the United States, by appropriate stamp, such official checks, drafts, or money orders, except those covering passport fees, as are received in accordance with the provisions of this section. The Chief or Acting Chief of the Passport Division, or his designee, is hereby authorized to endorse to the Treasurer of the United States, by appropriate stamp, official checks, drafts, or money orders covering passport fees, which, in accordance with the provisions of this section, are hereafter to be made payable to the Secretary of State. (R. S. 161, 5 U. S. C. 22)

This regulation shall become effective immediately upon publication in the FEDERAL REGISTER.

Approved: October 25, 1948.

For the Acting Secretary of State.

[SEAL] JOHN E. PEURIFOY,
Assistant Secretary.

[F. R. Doc. 48-9517; Filed, Oct. 28, 1948; 8:50 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Docket No. 3666]

PARTS 71–85—TRANSPORTATION OF EXPLOSIVES[1] AND OTHER DANGEROUS ARTICLES

MISCELLANEOUS AMENDMENTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 19th day of October A. D. 1948.

It appearing, that pursuant to sections 831–835, Title 18, U. S. Code, approved June 25, 1948 (which repealed the Transportation of Explosives Act of March 4, 1921 (41 Stat. 1444–1445) (18 U. S. C. 382–386) and Part II of the Interstate Commerce Act, the Commission has formulated and published certain regulations for the transportation of explosives and other dangerous articles.

It further appearing, that in applications received we are asked to amend the aforesaid regulations as set forth in provisions made part thereof:

It is ordered, That the aforesaid regulations for transportation of explosives and other dangerous articles be, and are hereby, amended as follows:

Part 2—List of Explosives and Other Dangerous Articles (CFR 73)

Superseding and amending commodity list section 4, orders August 16, 1940, and July 22, 1948, to read as follows:

Article	Classed as—	Exemptions and packing (see sec.)	Label required if not exempt	Maximum quantity in 1 outside container by rail express
(Add) Amyl trichlorosilane	Cor. L	No exemption 249B	White	10 gallons.
(Add) Butyl trichlorosilane	do	do	do	Do.
(Add) Carbon dioxide-nitrous oxide mixture.	Noninf. G	302, 303	Green	300 pounds.
(Add) Chemical kits*	See sec. 253B			
(Add) Cumene hydroperoxide	Oxy. M	153 (b), 186D	Yellow	1 quart.
(Add) Cyanogen chloride containing less than 0.9 percent water.	Pois. A	No exemption 331	Poison Gas	Not accepted.
(Add) Diethyl dichlorosilane	Cor. L	No exemption 249B	White	10 gallons.
(Add) Diphenyl dichlorosilane	do	do	do	Do.
(Add) Ethyl phenyl dichlorosilane.	do	do	do	Do.
(Change) Hexaethyl tetraphosphate and compressed gas mixture.	Pois. A	No exemption 331A	Poison gas	Not accepted.
(Add) Hexyl trichlorosilane	Cor. L	No exemption 249B	White	10 gallons.
(Add) High explosives, liquid	Expl. A	No exemption (j)		Not accepted.
(Add) Hypochlorite solutions containing more than 7 percent available chlorine by weight.	Cor. L	No exemption 277	White	4 gallons.
(Change) Nitroglycerin liquid, desensitized.	See sec. 50 (d) and 61 (a) (5).			
(Add) Octyl trichlorosilane	Cor. L	No exemption 249B	White	10 gallons.
(Add) Parathion and compressed gas mixture.	Pois. A	No exemption 331A	Poison Gas	Not accepted.
(Add) Phenyl trichlorosilane	Cor. L	No exemption 249B	White	10 gallons.
(Add) Propyl trichlorosilane	do	do	do	Do.
(Change) Tetraethyl pyrophosphate and compressed gas mixture.	Pois. A	No exemption 331A	Poison gas	Not accepted.
(Change) Trichlorosilane	Inf. L	No exemption 109B	Red	10 gallons.

Part 3—Regulations Applying to Shippers (CFR 75)

Amending table paragraph (c) section 22, *Specified containers prescribed,* order August 16, 1940, as follows:

When these regulations call for specification Nos.		Those specifications containers may also be used—
(Add) 4BA	26, 38	Cylinder.

Superseding and amending section 23, *Closures for containers,* order August 16, 1940, to read as follows:

23. *Closures for containers.* Containers must be closed for shipment as prescribed in the specifications for the container unless otherwise authorized for the particular article being shipped. Gasketed closures must be fitted with gaskets of efficient material which will not be deteriorated by the contents of the container.

Superseding and amending paragraph (d) section 50, *Forbidden explosives,* order August 19, 1946, to read as follows:

(d) Liquid nitroglycerin, diethylene glycol dinitrate or other liquid explosives not authorized by section 61 (a) (5) (For shipment by carrier by motor vehicle other than common carriers, see section 822 (b).)

Superseding and amending section 109A, *Ethyl trichlorosilane,* order July 22, 1948, to read as follows:

109A (a) Ethyl trichlorosilane must be packed in specification containers as follows:

(b) *Spec. 15A or 16B.* Wooden boxes with glass inside containers not over 1 gallon capacity each securely closed and cushioned with incombustible absorbent material.

(c) *Spec. 17H or 37D.* Metal drums (single-trip) with glass inside containers not over 1 gallon capacity each securely closed and cushioned with incombustible absorbent material.

(d) *Spec. 5A.* Metal drums not over 55 gallons capacity.

(e) *Spec. 5F* Metal drums not over 11 gallons capacity.

(f) *Spec. 5, 5B, 5C and 17E (single-trip)* Metal drums. These containers not authorized for shipments by rail express.

(g) Specification cylinders as prescribed for any compressed gas, except acetylene.

Amending order August 16, 1940, as follows (add)

109B (a) Trichlorosilane must be packed in specification containers as follows:

(b) *Spec. 15A or 16B.* Wooden boxes with glass inside containers not over 1 quart capacity each securely closed and cushioned with incombustible absorbent material.

(c) *Spec. 17H or 37D.* Metal drums (single-trip) with glass inside containers not over 1 quart capacity each securely closed and cushioned with incombustible absorbent material.

[1] Parts 2, 3, 4, and 7 in this order appear in CFR as Parts 73, 75, 72, 80 and 85.

(d) *Spec. 5A.* Metal drums not over 55 gallons capacity. This container not authorized for shipment by rail express.
(e) *Spec. 5F* Metal drums not over 11 gallons capacity. This container not authorized for shipment by rail express.
(f) Specification cylinders as prescribed for any compressed gas, except acetylene.

Amending section 163, *Chlorate of soda, chlorate of potash, etc.*, order August 16, 1940, as follows (add)

(h) Chlorate of soda is authorized for shipment in tank cars, spec. 103. Cars must be thoroughly cleaned before loading.

Superseding and amending paragraph (c) section 176, *Matches*, order August 16, 1940, to read as follows:

(c) *Packing.* Matches, strike-anywhere, must not be packed in the same outside package with any other article, except that book, card and "strike-on-box" matches may be included when packed in separate inside containers.

Superseding and amending paragraph (a) section 186A, *Liquid peroxides*, order November 4, 1946, to read as follows:

186A (a) Liquid peroxides other than acetyl peroxide solution, hydrogen peroxide, peracetic acid and cumene hydroperoxide must be packed in specification containers as follows:

Amending section 186A, *Liquid peroxides*, order November 4, 1946, as follows (add)

(f) *Spec. 17C or 17E.* Metal drums (single-trip) not over 15 gallons capacity. Authorized only for material which will not react dangerously with the drum metal, or be decomposed by contact with it.

Amending order August 16, 1940, as follows (add)

186D (a) Cumene hydroperoxide of strength not exceeding 75 percent in a non-volatile solvent must be packed in specification containers as follows:
(b) *Spec. 15A, 15B, 15C, 16A or 19A.* Wooden boxes with inside containers which must be: Glass or earthenware, not over 1 gallon each, cushioned with incombustible packing material in sufficient quantity to absorb the contents of the inner container.
(c) *Spec. 17E.* Metal drums (single-trip) with interiors so treated that they will be resistant to the contents.

Amending section 245, *Not exempted articles*, order August 16, 1940 as follows (add)

(bb) Amyl trichlorosilane.
(cc) Butyl trichlorosilane.
(dd) Diethyl dichlorosilane.
(ee) Diphenyl dichlorosilane.
(ff) Ethyl phenyl dichlorosilane.
(gg) Hexyl trichlorosilane.
(hh) Octyl trichlorosilane.
(ii) Phenyl trichlorosilane.
(jj) Propyl trichlorosilane.
(kk) Hypochlorite solutions containing more than 7 percent available chlorine by weight.

Amending order August 16, 1940, as follows (add)

249B (a) Amyl trichlorosilane, butyl trichlorosilane, diethyl dichlorosilane, diphenyl dichlorosilane, ethyl phenyl dichlorosilane, hexyl trichlorosilane, octyl trichlorosilane, phenyl trichlorosilane, and propyl trichlorosilane must be packed in specification containers as follows:
(b) *Spec. 15A or 16B.* Wooden boxes with glass inside containers not over 1 gallon capacity each securely closed and cushioned with incombustible absorbent material.
(c) *Spec. 17H or 37D.* Metal drums (single trip) with glass inside containers not over 1 gallon capacity each securely closed and cushioned with incombustible absorbent material.
(d) *Spec. 5A.* Metal drums not over 55 gallons capacity.
(e) *Spec. 5F* Metal drums not over 11 gallons capacity.
(f) *Spec. 5, 5B, 5C and 17E (single-trip)* Metal drums. These containers not authorized for shipments by rail express.
(g) Specification cylinders as prescribed for any compressed gas, except acetylene.

Amending section 250, *Automobiles or other self-propelled vehicles*, order August 16, 1940, as follows (add)

(a) (4) When batteries are installed in the vehicle they must be completely protected so that short circuits will be prevented under conditions normal to transportation.

Superseding and amending paragraph (e), section 253, *Chloracetyl chloride*, order October 28, 1942, to read as follows:

(e) *Spec. 1A, 1C, or 1D.* Carboys in boxes or kegs. Use of these containers will be permitted because of the present emergency and until further order of the Commission.

Amending order August 16, 1940, as follows (add)

253B (a) Chemical kits, except as otherwise provided herein, must be packed, marked and labeled as prescribed by these regulations for the specific acids or corrosive liquids contained therein.
(b) (1) Chemical kits containing acids in inside containers not exceeding 6 fluid ounces capacity each and complying with all of the following requirements, are exempt from specification packing, marking, other than name of contents, and labeling requirements for transportation by rail freight, rail express, highway or water:
(b) (2) The kit must not contain any of the items named in section 245.
(b) (3) The kit must be a strong wooden or metal container, or must be packed in a strong wooden or metal container.
(b) (4) The acids or corrosive liquids must be cushioned with sufficient absorbent cushioning material to completely absorb the contents of the individual containers, and must be protected from injury by other materials in the kit.
(b) (5) The contents of the kit must be of such nature and/or so packed that there will be no possibility of the mixture of contents causing dangerous evolution of heat or gas.

Superseding and amending paragraph (g) (1), section 272, *Sulfuric acid*, order January 23, 1946, to read as follows:

(g) (1) *Spec. 17F* Metal barrels or drums (single-trip) only for acid of 1.7059 specific gravity (60° Baume tolerance plus 0.2° Baume) or acid of greater strength with or without inhibitor, provided such acid has a corrosive effect on steel measured at 100° F. no greater than 66° Baume commercial sulfuric acid. Drums equipped with vented closures of an experimental type approved by the Bureau of Explosives are also authorized for export shipments.

Amending order August 16, 1940, as follows (add)

277 (a) Hypochlorite solutions containing more than 7 per cent available chlorine by weight must be packed in specification containers as follows:
(b) *Spec. 15A, 15B, 15C, or 12B.* Wooden or fiberboard boxes with glass or earthenware inside containers of not more than 1 gallon capacity each. Packages must not weigh over 65 pounds gross nor contain more than 4 such inside containers if their capacity is greater than 5 pints each.
(c) *Spec. 1A, 1C, or 1D.* Carboys in boxes or kegs.
(d) Closures for inside containers and carboys must be vented and must be of a material resistant to the lading and capable of preventing leakage of liquid contents.
(e) Containers of 5 gallons capacity and over in service for transportation of this material prior to September 1, 1948, of a design and venting arrangement approved by the Bureau of Explosives, may be continued in use until further order of the Commission.
(f) Glass or earthenware containers of not more than 4 fluid ounces capacity each, packed in strong outside containers, and cushioned with absorbent material in sufficient quantity to completely absorb liquid contents in the event of breakage, are exempt from specification packaging, marking, and labeling requirements for transportation by rail freight, rail express, or highway. When for transportation by carrier by water they are exempt from specification packaging, marking other than name of contents and labeling requirements.

Superseding and amending paragraph (i) (2), section 303, *Weight and pressure check*, order April 19, 1948, to read as follows:

(i) (2) Cylinders with a water capacity of 200 pounds or more and for use with a liquefied petroleum gas with a specific gravity at 60° F. of 0.504 or greater may have their contents determined by using a fixed length dip tube gauging device. The length of the dip tube shall be such that when a liquefied petroleum gas with a specific volume of 0.03051 cu. ft./lb. at a temperature of 40° F. is charged into the cylinder it just reaches the bottom of the tube. The weight of this liquid shall not exceed 42 percent of the stamped water capacity of the cylinder. The length of the dip tube, expressed in inches carried

out to one decimal place and prefixed with the letters DT, shall be stamped on the cylinder and on the exterior of removable type dip tube. The length of each dip tube shall be checked when installed by weighing each cylinder after filling except when installed in groups of substantially identical cylinders in which case one of each 25 cylinders shall be weighed. The quantity of liquefied gas in each container must be checked by means of the dip tube after disconnecting from the charging line. The outlet from the dip tube shall not be larger than a No. 54 drill size orifice. A container representative of each day's filling at each charging plant shall have its contents checked by weighing after disconnecting from the charging line.

Superseding and amending paragraph (k) table, section 303, *Restrictions for gases named in table,* orders August 16, 1940, and April 19, 1948, to read as follows:

Kind of gas	Maximum permitted filling density (see sec. 303 (b))	Cylinders* marked as shown in this column must be used except as provided in Note 1 and sec. 303 (p) (2) to 303 (p) (6)
	Percent	
(Add) Carbon dioxide-nitrous oxide mixture (see note 3).	68	ICC-3A1800; ICC-3.
(Change) Vinyl methyl ether, inhibited (see note 7).	68	ICC-4B300, without brazed seams; ICC-4BA, without brazed seams; ICC-3A300; ICC-3B300; ICC-25.

Superseding and amending paragraph (k) section 303, note 3 to table, *Restrictions for gases named in table,* order April 19, 1948, to read as follows:

NOTE 3: The maximum amount of liquefied carbon dioxide, nitrous oxide, or carbon dioxide-nitrous oxide mixture, with 1 pound allowable variation in each cylinder, must not be over 20 pounds for standard cylinders 5½ inches in diameter by 51 inches long, nor over 50 pounds for standard cylinders 8½ inches in diameter by 51 inches long and larger: *Provided,* That cylinders having interior diameter not over 10 inches, walls not less than ⅜ inch thick, and capacity not less than 4,200 cubic inches, may be shipped by or for the United States Government when charged with not over 102 pounds of gas.

Provided, further, That foregoing provisions of this note do not apply to cylinders of size not over 9 1/16 inches by 51 inches (approximately) when charged with mixtures of carbon dioxide or nitrous oxide containing at least 6 percent by weight of gas or liquid other than carbon dioxide or nitrous oxide.

Provided, further That cylinders marked ICC-3A2300 or for higher pressures are authorized to be shipped when charged with 75 or 100 pounds of gas with not over 1 pound variation plus or minus; filling density must not exceed 68 percent.

Superseding and amending paragraph (n) (2) section 303, *Liquefied petroleum gas,* order April 19, 1948, to read as follows:

(n) (2) *Spec. 3, 3A, 3B, 3E, 4, 4B, 4BA, 4B240X, 4B240FLW 9, 25, 26, or 38.* Cylinders authorized under section 303 (p) (2) to 303 (p) (6) may be used. (Notes 1 and 2 not cancelled.)

Amending section 303, order August 16, 1940, as follows (add)

(p) (16) (a) Repairs on ICC-4 series, and ICC-8, welded or brazed cylinders are authorized to be made by welding or brazing. Such repairs must be made by a manufacturer of this type of ICC cylinder and by a process similar to that used in its manufacture and under the following specific requirements:

(p) (16) (b) Cylinders with injurious defects in welded joints in or on pressure parts must be repaired by completely removing the defect prior to rewelding.

(p) (16) (c) Cylinders with injurious defects in brazed joints in or on pressure parts must be repaired by rebrazing.

(p) (16) (d) Cylinders during welding must be free of materials in contact with the welded joint that may impair the serviceability of the metal in or adjacent to the weld. (Precautions must be taken to prevent acetylene cylinder steels from picking up carbon during repair.)

(p) (16) (e) Neckrings, footrings, or other nonpressure attachments authorized by the specification may be replaced or repaired.

(p) (16) (f) After removal, and before replacement of attachments, cylinders must be inspected and defective ones rejected, repaired or rebuilt.

(p) (16) (g) After repair, cylinders must be reheat treated, tested, inspected and reported when and as prescribed by the specification covering their original manufacture in the following circumstances:

(p) (16) (h) When welding or brazing seams in a pressure part of a cylinder.

(p) (16) (i) When welding or brazing on pressure parts of cylinders of plain carbon steels with carbon over 0.25 percent or manganese over 1.00 percent or of alloy steels.

NOTE: The physical and flattening tests may be omitted when the cylinders are not reheat-treated.

(p) (16) (j) Repair of cylinders must be followed by a proof pressure leakage test at prescribed test pressure and visual examination for weld quality in the following circumstances:

(p) (16) (k) When welding or brazing on pressure parts of cylinders of plain carbon steel with carbon 0.25 percent or less and manganese 1.00 percent or less.

(p) (16) (l) Repair of nonpressure attachments by welding or brazing without affecting a pressure part of the cylinder must be followed by visual examination for weld quality.

(p) (16) (m) Walls, heads or bottoms of cylinders with injurious defects or leaks in base metal shall not be repaired, but may be replaced as provided for in section 303 (p) (17) (a)

(p) (17) (a) Rebuilding of ICC-4 series, and ICC-8, welded or brazed cylinders is authorized. Such rebuilding must be done by a manufacturer of this type of ICC cylinder and by a process similar to that used in its original manufacture and under the following specific requirements:

(p) (17) (b) The replacement of a pressure part such as wall, heads, or bottoms of cylinders or the replacement of the porous filling material, shall be considered as rebuilding.

(p) (17) (c) Rebuilt cylinders shall be considered as new cylinders and shall conform to all the requirements of the specifications applying, including verification of material, examination, inspection, etc., and the rendering of the proper reports to the purchaser, cylinders rebuilder, and the Bureau of Explosives.

(p) (17) (d) Information in sufficient detail regarding previous serial numbers and identification symbols must be filed with the Bureau of Explosives.

Superseding and amending paragraph (q) (1) table, section 303, *Compressed gases in tank cars and motor vehicles,* order April 19, 1948, to read as follows:

Name of gas	Maximum permitted filling density, note 1	Required type of tank car, note 2
Liquefied petroleum gas (pressure not exceeding 75 pounds per square inch at 105° F.)	Note 3....	Note 9, ICC-104A. Note 13.

(Add)

NOTE 13. Fusion welded portable tanks manufactured prior to April 19, 1948 in complete compliance with specifications included in ICC authority No. 3666 dated December 28, 1939 (235 I. C. C. 595), are authorized for the transportation of commercial butane: *Provided,* That (1) certificate of manufacture for each tank and record of each required five year retest is filed with the Bureau of Explosives, and (2), in addition to the markings prescribed by the aforementioned authority each tank is permanently marked ICC-50X.

Superseding and amending section 326, orders August 16, 1940, and August 19, 1946, to read as follows:

326. *Extremely dangerous poisons; Class A—Poison gas label.* (a) Poisonous gases or liquids of such nature that a very small amount of the gas, or vapor of the liquid, mixed with air is dangerous to life. This class includes the following:

Chlorpicrin.
Cyanogen.
Cyanogen chloride containing less than 0.9 percent water.
Diphosgene.
Ethyldichlorarsine.
Hydrocyanic acid.
Lewisite.
Methyldichlorarsine.
Mustard gas.
Nitrogen peroxide (tetroxide).

Phenylcarbylamine chloride.
Phosgene (diphosgene).

NOTE: Dilute solutions of hydrocyanic acid of not exceeding 5 percent strength are classed as poisonous articles, class B, (see section 336 and section 350).

Superseding and amending paragraph (a) (1) sec. 331A, *Hexaethyl tetraphosphate etc.*, order July 22, 1948, to read as follows:

(a) (1) Hexaethyl tetraphosphate, parathion, and tetraethyl pyrophosphate mixtures with compressed gas, containing not more than 10 percent by weight of hexaethyl tetraphosphate, parathion or tetraethyl pyrophosphate must be packed in specification containers as follows:

Superseding and amending paragraph (c) section 339, *Aniline oil*, orders August 16, 1940 and August 13, 1943, to read as follows:

(c) Spec. 5, 5A, or 5B metal barrels or drums; Spec. 17C single-trip metal drums; Spec. 17E single-trip metal drums not over 5 gallons capacity each. Net weight in 110-gallon drums should not exceed 915 pounds; gaskets not less than one-eighth inch thick must be used at bung and filling holes and must be made of hard fiber impregnated with glycerin, or of metal-covered cork, or of impregnated asbestos sheets, or metal-covered asbestos; filled drums must be so placed that bungs will be subjected to hydrostatic head of oil contained therein for a period of not less than 12 hours; the exterior of filled drums must be carefully examined for evidence of aniline oil, any traces of which must be removed by washing off with water or, preferably, weak acetic acid; the space between rolling hoops immediately around the bung should be painted, to aid in the detection of leaks at this point; drums showing no signs of leakage only may be shipped; all returnable drums must bear the following returnable container notice, shellacked to head of drum near consignee's name and address:

Prevent damage to foodstuffs, or other freight. Drain this drum thoroughly, tightening bungs securely in place with gaskets, before returning. If necessary, use new gaskets. Aniline oil stains on the outside of drums should be washed off with water or, preferably, weak acetic acid.

Metal barrels or drums under this paragraph must not have openings exceeding 2.3 inches in diameter.

Superseding and amending paragraph (c) section 367, *Radioactive material such as ores, residues etc.*, order October 24, 1947, to read as follows:

(c) Radioactive materials such as ores, residues, etc., of low activity packed in strong tight containers are exempt from specification packing and labeling requirements for shipment in carload lots by rail freight provided the gamma radiation or equivalent will not exceed 10 milliroentgens per hour at a distance of 12 feet from any surface of the car and that the gamma radiation or equivalent will not exceed 10 milliroentgens per hour at a distance of 5 feet from either end surface of the car. There must be no loose radioactive material in the car, and the shipment must be braced so as to prevent leakage or shift of lading under conditions normally incident to transportation. The car must be placarded by the shipper as provided in section 541A and 552 of these regulations. Shipments must be loaded by consignor and unloaded by consignee.

Superseding and amending paragraph (p) (1) section 402, *Labels and marlings*, order July 22, 1948, to read as follows:

(p) (1) Labels and marking name of contents are not required on carload or truckload quantities of dangerous articles, except class A, class C or class D poisons, by rail freight, rail express or highway, when such shipments are unloaded by the consignee or his duly authorized agent from the car or motor vehicle in which originally loaded.

Appendix to Part 3—Shipping Container Specifications (CFR 72)

Superseding and amending paragraph 8A, specification 3A, *Welding or brazing*, order April 19, 1948, to read as follows:

8A. Welding or brazing for any purpose whatsoever is prohibited except as follows: (1) Welding or brazing is authorized for the attachment of neckrings and footrings which are non-pressure parts, and only to the tops and bottoms of cylinders having a service pressure of 500 pounds per square inch or less. Cylinders, neckrings, and footrings must be made of weldable steel, carbon content of which must not exceed 0.25 percent except in the case of 4130X steel which may be used with proper welding procedure. (2) As permitted in paragraph 8.

NOTE: Cylinders used solely in anhydrous ammonia service may have a ½ inch diameter bar welded within their concave bottoms in accordance with the foregoing requirements.

Superseding and amending (a) of paragraph 10, specification 3AA, *Heat treatment*, order August 19, 1946, to read as follows:

(a) All cylinders must be oil-quenched except as noted in paragraphs (e) and (g)

Amending paragraph 10, specification 3AA, *Heat treatment*, order August 19, 1946, as follows (add)

(g) Steels coming under this specification may be quenched in molten salt bath maintained at a temperature not less than 375° F.

Amending specification 3BN, order August 16, 1940, as follows (add)

8A. Welding or brazing for any purpose whatsoever is prohibited except as follows: (1) Welding is authorized for the attachment of neckrings and footrings which are nonpressure parts, and only to the tops and bottoms of cylinders. Neckrings and footrings must be of weldable material, carbon content of which must not exceed 0.25 percent. Nickel welding rod must be used.

Amending specification 3E, order August 16, 1940, as follows (add)

8A. This paragraph does not apply.

Superseding and amending paragraph 13 (a), specification 3E, *Hydrostatic test*, order August 16, 1940, to read as follows:

13. (a) *Hydrostatic test.* Cylinders must be tested as follows:

(1) One cylinder out of each lot of 500 or less to be subjected to hydrostatic pressure of 6,000 pounds per square inch or higher.

(2) The cylinder referred to in (1) above shall burst at a pressure higher than 6,000 pounds per square inch, or shall hold a pressure of 12,000 pounds per square inch for 30 seconds without bursting, in which case it shall be subjected to a crush test of six times wall thickness.

NOTE: Inspector's report shall be suitably changed to show results of latter alternate and crush test.

(3) Other cylinders must be examined under pressure of 3,000 pounds per square inch and show no defect.

Amending specification 4, order August 16, 1940, as follows (add)

8A. The attachment to the tops and bottoms only of cylinders by welding or brazing of neckrings, footrings, handles, bosses, pads, and valve protection rings is authorized provided that such attachments and the portion of the container to which they are attached are made of weldable steel, the carbon content of which must not exceed 0.25 percent except in the case of 4130X steel which may be used with proper welding procedure.

Amending specification 4A, order August 16, 1940, as follows (add)

8A. The attachment to the tops and bottoms only of cylinders by welding or brazing of neckrings, footrings, handles, bosses, pads, and valve protection rings is authorized provided that such attachments and the portion of the container to which they are attached are made of weldable steel, the carbon content of which must not exceed 0.25 percent except in the case of 4130X steel which may be used with proper welding procedure.

Amending specification 4B, order August 16, 1940, as follows (add)

8A. The attachment to the tops and bottoms only of cylinders by welding or brazing of neckrings, footrings, handles, bosses, pads, and valve protection rings is authorized provided that such attachments and the portion of the container to which they are attached are made of weldable steel, the carbon content of which must not exceed 0.25 percent except in the case of 4130X steel which may be used with proper welding procedure.

Superseding and amending paragraph 11, specification 4B, order February 13, 1946, to read as follows:

11. *Openings in cylinders.* (a) Each opening in cylinders, except those for safety devices, must be provided with a fitting, boss, or pad, securely attached to cylinder by brazing or by welding or by threads. Fitting, boss, or pad must be of steel suitable for the method of attachment employed, and which need not be

identified or verified as to analysis, except that if attachment is by welding, carbon content must not exceed 0.25 percent. If threads are used, they must comply with the following:

(1) Threads must be clean cut, even, without checks, and tapped to gauge.

(2) Taper threads to be of length not less than as specified for American Standard taper pipe threads.

(3) Straight threads, having at least 4 engaged threads, to have tight fit and calculated shear strength at least 10 times the test pressure of the cylinder; gaskets required, adequate to prevent leakage.

(b) Closure of fitting, boss, or pad must be adequate to prevent leakage.

Amending specification 4BA, order April 19, 1948, as follows (add)

8A. The attachment to the tops and bottoms only of cylinders by welding or brazing of neckrings, footrings, handles, bosses, pads, and valve protection rings is authorized provided that such attachments and the portion of the container to which they are attached are made of weldable steel, the carbon content of which must not exceed 0.25 percent except in the case of 4130X steel which may be used with proper welding procedure.

Superseding and amending paragraph 19, table I, specification 4BA, *Type of material,* order April 19, 1948, to read as follows:

19. *Table I.*

TABLE I—TYPE OF MATERIAL

[Chemical analysis—Limits in percent]

Chemical analysis	1315 [1]	HIS [1]	MAY [1]	NAX [1]	COR [1]	4017 [1]
Carbon	0.10/0.20	0.12 max	0.12 max	0.20 max	0.12 max	0.13/0.20.
Manganese	1.30/1.65	0.50/0.90	0.50/1.00	0.45/0.75	0.20/0.50	0.75/1.10.
Phosphorus	0.045 max	0.05/0.12	0.08/0.12	0.045 max	0.07/0.15	0.04 max.
Sulphur	0.05 max	0.05 max	0.05 max	0.05 max	0.05 max	0.04 max.
Silicon	0.15/0.35	0.15 max	0.10/0.50	0.50/0.90	0.25/0.75	0.25/0.35.
Chromium			0.40/1.00	0.45/0.70	0.50/1.25	
Molybdenum		0.08/0.18				0.25/0.35.
Zirconium				0.05/0.25		
Nickel		0.45/0.75	0.25/0.75		0.65 max	
Copper	0.40 max	0.95/1.30	0.50/0.70		0.25/0.55	
Aluminum		0.12/0.27				
Heat treatment authorized	[2]	[2]	[2]	[2]	[2]	[2].
Maximum stress	35,000	35,000	35,000	35,000	35,000	35,000.

[1] The commercial steel is limited as to chemical analysis as shown in the table.
[2] Any suitable heat treatment in excess of 1100° F.

Amending specification 4C, order August 16, 1940, as follows (add)

8A. The attachment to the tops and bottoms only of cylinders by welding or brazing of neckrings, footrings, handles, bosses, pads, and valve protection rings is authorized provided that such attachments and the portion of the container to which they are attached are made of weldable steel, the carbon content of which must not exceed 0.25 percent except in the case of 4130X steel which may be used with proper welding procedure.

Superseding and amending paragraph 7 (d) specification 10B, order December 30, 1942, to read as follows:

7. (d) *Hoops, number and size.*

Capacity of container not over (gallons)	Minimum number of hoops	Minimum size of hoops (inches in width and Birmingham gage)							
		Head		First quarter		Second quarter		Bilge	
		Inch	Gage	Inch	Gage	Inch	Gage	Inch	Gage
60	[1] 8	[3] 1¾	[3] 17	1½	18	1½	18	[3] 1¾	[3] 17
30	6	1½	18	1¼	19	-----	-----	1½	18
15	6	1¼	19	1⅛	19	-----	-----	1¼	19
10	6	1⅛	19	1	19	-----	-----	1⅛	19
5	[2] 6	1	19	1	19	-----	-----	1	19

[1] Because of the present emergency and until further order of the Commission, the minimum number of hoops is authorized to be reduced to 6 by eliminating second quarter hoops.
[2] Because of the present emergency and until further order of the Commission, the minimum number of hoops is authorized to be reduced to 4 by eliminating first quarter hoops if head and bilge hoops of 1¾ inch by 17 gage are used.
[3] 2 inch by 18 gage hoops are also authorized.

Superseding and amending specification 13, paragraph 8, *Type test,* order August 16, 1940, to read as follows:

8. *Type test.* Keg filled with fine, dry sand in weight equal to that of shipment must be capable of withstanding, without leakage, 4 successive drops of 4 feet on the head onto solid concrete. Tests to be made of each type and size by each company manufacturing this type of container and to be repeated every six months while in production. If production is discontinued and is resumed, this requirement will also apply if prescribed tests have not been made within the previous six-month period. Samples last tested to be retained until further tests are made.

Amending specification 13A, paragraph 8, *Type test,* order April 19, 1948, as follows (add)

(c) Tests to be made of each type and size by each company manufacturing this type of container and to be repeated every six months while in production. If production is discontinued and is resumed, this requirement will also apply if prescribed tests have not been made within the previous six-month period. Samples last tested to be retained until further tests are made.

Superseding and amending specification 23F paragraph 19 (a), *Flap closures,* order April 19, 1948, to read as follows:

19. (a) *Flap closures.* Flaps must butt or have full overlap excepting that inner flaps overlapping ½ inch are permitted.

Superseding and amending specification 23G, paragraph 13 (c), *Completed containers,* order January 23, 1946, to read as follows:

(c) Three loaded samples to be tested. Each must withstand side to side pressure of at least 500 pounds without deflection of over ½ inch; except that for boxes with fluted crimped ends the deflection shall not exceed ¾ inch; speed of compression tester to be ½ inch per minute plus ¼ inch minus ¼ inch per minute.

Superseding and amending paragraph (1) specification MC200, order August 19, 1946, to read as follows:

1. Every motor vehicle used for the transportation of liquid nitroglycerin, desensitized liquid nitroglycerin or diethylene glycol dinitrate, other than desensitized liquid explosives as defined in section 61 (a) (5) shall have a body constructed as set forth below, which body shall have component parts as specified hereinafter:

Part 4—Regulations Applying Particularly to Carriers by Rail Freight (CFR 80)

Amending section 567, order August 16, 1940, as follows (add)

(d) Any car which has contained radioactive material must be thoroughly cleaned by the consignee in such a manner as to remove all radioactive material from the car, and a certificate to this effect must be furnished the local agent of the railway company before the car is released to the carrier.

Superseding and amending section 589, *Handling cars, definitions,* orders February 12, 1947, and May 8, 1947, to read as follows:

589. *Handling cars, definitions.* As used in this section, the term:

(1) "Person" means any individual, partnership, corporation, association, joint stock company, business trust or other organized group of persons, or any trustee, receiver, assignee, or personal representative, and includes any department or agency of the United States, any State, the District of Columbia, or any other political, governmental or legal entity.

(2) "Railroad" means any person engaged in transportation as a common carrier by rail and includes its agents or employees;

(3) "Engine" means any locomotive, propelled by any form of energy, used by a railroad;

(4) "Freight car" means any vehicle used for the transportation of property by rail;

(5) "Passenger car" means any vehicle used for the transportation of passengers by rail;

(6) "Combination car" means any vehicle used for the transportation of both property and passengers by rail;

(7) "Occupied caboose" means any vehicle used by railroad employees, caretakers, or others authorized to ride therein;

(Change) (8) "A train" is one or more engines coupled together with or without cars displaying markers.

(Add) (9) "Freight train" means one or more engines coupled with one or more freight cars, displaying markers.

(Change) (10) "Passenger train" means one or more engines coupled with one or more passenger cars carrying passengers, displaying markers.

(Change) (11) "Mixed train" means one or more engines coupled with one or more freight cars and passenger cars carrying passengers, displaying markers.

(Change) (12) "Placarded car" shall be construed to embrace also any car which under these regulations is required to be placarded.

(Add) (13) (a) "Pickup and/or setoff service" shall be construed to mean trains in service that pick up and/or set off one or more cars at three or more stations enroute; (b) trains having cars from which less-than-carload freight is loaded or unloaded enroute; or (c) trains regularly scheduled to perform pickup and/or setoff service which on some days make less than three stops.

Superseding and amending paragraph (e) (1) section 589, *Notice to crews*, order July 28, 1947, to read as follows:

Notice to crews of cars containing explosives in freight trains or mixed trains. (e) (1) At all terminals or other places where trains are made up by crews other than road crew accompanying the outbound movement of cars, the railroad shall execute a consecutively numbered notice showing the location in the freight train or mixed train of every car placarded "Explosives" A copy of such notice shall be delivered to the train and engine crew and a copy thereof showing delivery to the train and engine crew shall be kept on file by the railroad at each point where such notice is given. At points other than terminals where train or engine crews are changed, the notice shall be transferred from crew to crew.

Superseding and amending paragraph (f) (1) section 589, *Position in trains*, order October 27, 1947, to read as follows:

Position in freight train or mixed train of cars containing explosives. (f) (1) In a freight train or a mixed train either standing or during transportation thereof, a car placarded "Explosives" shall, when length of train permits, be placed not nearer than the sixteenth car from both the engine or occupied caboose, except:

(a) When the length of freight train or mixed train will not permit it to be so placed, it shall be placed near the middle of the train;

(b) When transported in a freight train made up in "blocks" or classifications, a car placarded "Explosives" shall be placed near the middle of the "block" or classification in which moving, but not nearer than the sixth car from both the engine or occupied caboose;

(c) When transported in a freight train or a mixed train performing pickup and/or setoff service, it shall be placed not nearer than the second car from both the engine or occupied caboose, except as provided in section 589 (i) (1)

Superseding and amending paragraph (f) (2) section 589, order July 22, 1948, to read as follows:

(f) (2) In a freight train or a mixed train either standing or during transportation thereof, a car placarded "Explosives" must not be handled next to:

1. Occupied passenger car, other than gas handlers accompanying shipment.
2. Occupied combination car, other than gas handlers accompanying shipment.
3. Any car placarded "Dangerous."
4. Engine.
5. Any car placarded "Poison Gas."
6. Wooden underframe car (except on narrow gauge railroads)
7. Loaded flat car.
8. Open-top car when any of the lading extends or protrudes above or beyond the ends of sides thereof.
9. Car equipped with automatic refrigeration of the gas-burning type.
10. Car containing lighted heaters, stoves, or lanterns.
11. Car loaded with live animals or fowl, occupied by an attendant.
12. Occupied caboose (except as permitted in section 589 (i) (1)).

Superseding and amending paragraph (g) (1) section 589, order October 27, 1947, to read as follows:

Position in train of loaded placarded tank car. (g) (1) (a) In a freight train or a mixed train, except a train consisting entirely of placarded loaded tank cars and as provided in sec. 589 (g) (2) a placarded loaded tank car shall when the length of the train permits, be not nearer than the sixth car from the engine, occupied caboose or passenger car.

(g) (1) (b) When the length of the freight train or mixed train will not permit it to be so placed, it shall be not nearer than the second car from the engine, occupied caboose or passenger car.

(g) (1) (c) When transported in a freight train engaged in "pickup" or "setoff" service, a placarded loaded tank car shall be not nearer than the second car from both engine or occupied caboose.

Superseding and amending paragraph (h) (1) and heading, section 589, order February 12, 1947, to read as follows:

Position in freight train or mixed train or cars placarded "Poison Gas" or containing poison liquids Class A. (h) (1) In a freight train or mixed train either standing or during transportation thereof, a car placarded "Poison Gas" or containing poison liquids, Class A, shall not be next to other freight cars placarded "Explosives" or cars placarded "Dangerous"

Superseding and amending paragraph (i) (1) and heading, section 589, orders July 28, 1947, and February 12, 1947, to read as follows:

Position in freight train or mixed train of cars placarded "explosives" and "poison gas" or containing poison liquids when accompanied by cars carrying gas handling crews. (i) (1) A car placarded "Poison Gas" or containing poison liquids Class A in drums, tanks or bombs, or a car placarded both "Explosives" and "Poison Gas" shall at all times be next to and ahead of the car occupied by the gas handling crews, when accompanying such car.

Part 7—Regulations Applying to Shipments Made by Way of Common, Contract or Private Carriers by Public Highway (CFR 85)

Superseding and amending paragraph (b) (1) section 815, *Labels etc.*, order July 22, 1948, to read as follows:

(b) (1) Labels and marking name of contents are not required on truckload quantities of dangerous articles, except Class A, class C or class D poisons, when such shipments are unloaded by the consignee or his duly authorized agent from the motor vehicle in which originally loaded.

Superseding and amending paragraph (a) section 821, *Nitroglycerin etc.*, order August 19, 1946, to read as follows:

821. (a) Nitroglycerin, desensitized liquid nitroglycerin or diethylene glycol dinitrate, forbidden to common carriers. Liquid nitroglycerin, desensitized liquid nitroglycerin or diethylene glycol dinitrate, except as defined in sec. 61 (a) (5), may not be accepted for transportation or be transported by any common carrier by motor vehicle.

Superseding and amending paragraphs (a) and (b), section 822, *Acceptable packages*, order August 19, 1946, to read as follows:

822. (a) *Acceptable packages.* Any motor carrier may accept for transportation or transport any acceptable explosive or other dangerous articles listed in the Commodity List, Part 2, of the regulations in this part: *Provided, however* That no provision of this section shall be so construed as to permit the acceptance or transportation of liquid nitroglycerin, desensitized liquid nitroglycerin or diethylene glycol dinitrate, other than as defined in section 61 (a) (5) by any common carrier.

(b) *Liquid nitroglycerin, desensitized liquid nitroglycerin or diethylene glycol dinitrate.* Liquid nitroglycerin, desensitized liquid nitroglycerin or diethylene glycol dinitrate, other than as defined in section 61 (a) (5) may be transported only by motor carriers other than common carriers in containers complying with specification MC200. No form of trailer may be attached.

Superseding and amending paragraph (b) (3) section 824, *Explosives on trucks or semitrailers*, order August 19, 1946, to read as follows:

824. (b) (3) *Explosives on trucks or semitrailers; no other trailer.* Any explosive other than liquid nitroglycerin, desensitized liquid nitroglycerin or diethylene glycol dinitrate, except as defined in section 61 (a) (5), and forbidden explosives may be loaded into and transported on any truck or any semitrailer attached to a tractor, to which no form of trailer may be attached when so loaded.

Superseding and amending paragraph (b) (8) section 824, *Lading within body or covered, tailgate closed*, order August 19, 1946, to read as follows:

(b) (8) *Lading within body or covered, tailgate closed.* Except as provided in section 824 (b) (7), (b) (11)

and (b) (13) dealing with the transportation of liquid nitroglycerin, desensitized liquid nitroglycerin or diethylene glycol dinitrate, other than as defined in section 61 (a) (5) all of that portion of the lading of any motor vehicle which consists of explosives shall be contained entirely within the body of the motor vehicle, and if such motor vehicle has a tailboard or tailgate, it shall be closed and secured in place during such transportation. Every motor vehicle transporting explosives must either have a closed body or have the body thereof covered with a tarpaulin, and in either event care must be taken to protect the load from moisture and sparks.

Superseding and amending paragraph (b) (11) section 824, *Loading requirements for liquid nitroglycerin etc.*, order August 19, 1946, to read as follows:

(b) (11) *Loading requirements for liquid nitroglycerin, desensitized liquid nitroglycerin or diethylene glycol dinitrate.* Liquid nitroglycerin, desensitized liquid nitroglycerin or diethylene glycol dinitrate, other than as defined in section 61 (a) (5), may be accepted for transportation and transported only by motor carriers other than common carriers if it be loaded into or on a truck having the type of body specified in specification MC200. No liquid nitroglycerin, desensitized liquid nitroglycerin or diethylene glycol dinitrate may be loaded directly above any other explosive, or in any quantity in excess of 900 quarts on one motor vehicle or 10 quarts in any one individual container. Additional quantities of explosives, other than nitroglycerin, desensitized liquid nitroglycerin or diethylene glycol dinitrate, excepting any type of blasting or percussion cap or other detonating device, may be carried on such motor vehicle in a closed or covered bed or body which shall be firmly bolted or fastened above the lid of the compartment containing the nitroglycerin, desensitized liquid nitroglycerin or diethylene glycol dinitrate. In no case shall the net load be more than 7,500 pounds. (See section 824 (b) (13) and specification MC201.)

Superseding and amending paragraph (b) (13) section 824, *Caps or other explosives*, order August 19, 1946, to read as follows:

(b) (13) *Caps or other explosives.* Any explosives, including desensitized liquid explosives as defined in section 61 (a) (5) other than liquid nitroglycerin, desensitized liquid nitroglycerin or diethylene glycol dinitrate, transported on any motor vehicle transporting liquid nitroglycerin, desensitized liquid nitroglycerin or diethylene glycol dinitrate, shall be segregated; each kind from every other kind, and from tools or other supplies. Any percussion caps, detonators, blasting caps, or electric blasting caps, shall be carried either in a cloth container having individual pockets for each such cap, or by a least equally safe means. No greater number of any such caps shall be carried in the manner described than is necessary for use on any particular trip.

It is further ordered, That the aforesaid regulations as further amended herein shall be and remain in full force and effect on and after January 17, 1949, and shall be observed until further order of the Commission.

It is further ordered, That compliance with the aforesaid regulations, as amended, made effective by this order, is hereby authorized on and after day of service hereof;

And it is further ordered, That copies of this order be served upon all parties of record herein, and that notice shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D C., and by filing it with the Director, Division of Federal Register.

(49 Stat. 546, 52 Stat. 1237, 54 Stat. 921, Pub. Law 772, 80th Cong., 62 Stat. 738–739; 49 U. S. C. 304)

By the Commission, Division 3.

[SEAL] W P BARTEL, *Secretary.*

[F. R. Doc. 48-9513; Filed, Oct. 28, 1948; 8:47 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

Bureau of Internal Revenue

[26 CFR, Part 191]

IMPORTATION OF DISTILLED SPIRITS AND WINES

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue (and concurred in by the Commissioner of Customs) with the approval of the Secretary of the Treasury. Prior to the final adoption of such regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted, in writing, in duplicate, to the Commissioner of Internal Revenue, Washington 25, D. C., within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. The proposed regulations are to be issued under the authority of Sections 2800 as amended, 3030 as amended, and 3176 of the Internal Revenue Code (U. S. C., Title 26, Sections 2800, 3030, and 3176)

[SEAL] FRED S. MARTIN, *Acting Commissioner of Internal Revenue.*

1. In order to correct the regulations to conform to the intendment of section 3030 (a) (2) of the Internal Revenue Code, §§ 191.8 and 191.9 of Regulations 21 (26 CFR, 191.8 and 191.9) are amended to read as follows:

§ 191.8 *Liqueurs, cordials, and similar compounds.* Liqueurs, cordials, and similar compounds, containing distilled spirits, in customs bonded warehouse or imported into the United States are subject to an internal revenue tax, when withdrawn, at the rate of $9 per proof gallon, or wine gallon when below proof, and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon. Wines containing not over 24 per centum of alcohol by volume to which sweetening or flavoring materials, but no distilled spirits, have been added are not classified as liqueurs, cordials, or similar compounds, but are considered to be flavored wines only and are subject to internal revenue tax at the rates applicable to wines. (Secs. 2800 as amended, 3030 as amended, 3176, I. R. C.)

§ 191.9 *Rate of tax on other compounds and preparations.* Compounds and preparations, other than those specified in § 191.8, containing distilled spirits, which are fit for beverage purposes, in customs bonded warehouse or imported into the United States are subject to internal revenue tax at the rate of $9 per proof gallon, or wine gallon when below proof, and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon. Compounds and preparations containing wine, but no distilled spirits, which are fit for beverage purposes and which are sold as wine, are subject to internal revenue tax at the rates applicable to wines. (Secs. 2800 as amended, 3030 as amended, 3176, I. R. C.)

2. The effect of these amendments is that, on imported liqueurs, cordials, and similar compounds and preparations, internal revenue tax will be collected, (1) at the basic rate applicable to distilled spirits (namely, $9 per proof gallon, or wine gallon when below proof), if the products contain distilled spirits, or (2) at the basic rates applicable to wines (namely, 15 cents per wine gallon when containing not more than 14 per centum of alcohol by volume, 60 cents per wine gallon when containing more than 14 per centum and not exceeding 21 per centum of alcohol, $2 per wine gallon when containing more than 21 per centum and not exceeding 24 per centum of alcohol, and $9 per wine gallon, or proof gallon if over 100 proof, when containing more than 24 per centum of alcohol) if the products contain wine, but no distilled spirits, and are sold as wine. Such taxes will be collected, instead of the taxes levied by Section 3030 (a) (2), for the reasons hereinafter stated.

3. Taxes were collected on such products at the regular (basic) rates applicable to distilled spirits and wines during the entire period intervening between

the original act of September 8, 1916, which imposed basic taxes on wines and an additional tax, in lieu of rectification tax, on liqueurs, cordials, and similar compounds made with domestic fortified wines, and December 15, 1940, the effective date of Regulations 21, which contain erroneous instructions for collection of the additional tax (now levied by section 3030 (a) (2)) instead of the basic taxes, on such products. Tax at the distilled spirits rate was likewise collected on such products, which contained distilled spirits, prior to the act of September 8, 1916.

4. It is evident from the original act of September 8, 1916, the Legislative History of that Act, the subsequent superseding and amendatory acts (from which section 3030 (a) (2) was derived and codified) and the various related statutes, that the tax levied by section 3030 (a) (2) is an additional tax, in lieu of the rectification tax, applicable only to products made with domestic fortified wine, and is intended as an equalizing tax to compensate to some extent for the difference between the wine tax and the regular distilled spirits tax, when wines containing tax-free brandy are used by a rectifier to make liqueurs. The present instructions in § 191.8 of Regulations 21 (26 CFR, 191.8) for collection of the tax levied by section 3030 (a) (2) I. R. C., on imported liqueurs, cordials, and similar compounds, instead of the regular (basic) taxes applicable to distilled spirits and wines, go beyond the intent and purpose of the law and are, therefore, erroneous. The distilled spirits and fortified wines used to make domestic liqueurs, cordials, and similar compounds are subject to tax at the regular distilled spirits and wine rates, and, in addition, the products are subject to the additional tax levied by section 3030 (a) (2)

5. This Treasury Decision shall be effective on the 31st day after the date of its publication in the FEDERAL REGISTER.

(Sec. 2800 as amended, 3030 as amended, and 3176 of the Internal Revenue Code (26 U. S. C. 2800, 3030, and 3176))

[F. R. Doc. 48-9531; Filed, Oct. 28, 1948; 8:53 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 941]

HANDLING OF MILK IN CHICAGO, ILL., MILK MARKETING AREA

DECISION WITH RESPECT TO A PROPOSED MARKETING AGREEMENT AND TO PROPOSED AMENDMENTS TO THE ORDER, AS AMENDED, REGULATING THE HANDLING OF MILK IN THE CHICAGO, ILLINOIS, MILK MARKETING AREA

Pursuant to Public Act No. 10, 73d Congress (May 12, 1933) as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act") and the rules of practice and procedure, as amended, governing procedures to formulate marketing agreements and orders (7 CFR, Supps. 900.1 et seq.) a public hearing was held at Chicago, Illinois, June 30, 1948, after the issuance of notice on June 17, 1948 (13 F. R. 3342).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Assistant Administrator, Production and Marketing Administration, on August 30, 1948, filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision in this proceeding. The notice of filing of such recommended decision and opportunity to file written exceptions thereto was published in the FEDERAL REGISTER on September 3, 1948 (13 F. R. 5158).

The sole material issue of record was the extent, if any, to which handlers who produce certified milk, and whose sole distribution in the marketing area is certified milk, should be relieved of obligations as handlers under the order with respect to milk not of their own production.

Rulings on exceptions. Exceptions to the recommended decision were filed on behalf of Wern Farms.

In arriving at the findings and conclusions decided upon in this decision, each of the exceptions was carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that the findings and conclusions decided upon herein are at variance with the exceptions pertaining thereto, such exceptions are overruled.

Exception was taken to failure of the decision recommended by the Assistant Administrator to find numerous facts, principally concerned with details of the proponent's operations, and with the distinctive characteristics of certified milk. This proceeding is concerned with amendment to an order and for this purpose the operations of the proponent are recognized in the decision in sufficient detail. It does not appear that any finding with respect to characteristics of certified milk as distinct from those of regular milk would form a basis for providing amendments releasing the handling of regular milk from regulation under the order, which the exceptions clearly recognize as the main issue by stating that "the real issue is the pooling of producer milk, particularly the uncertified producer milk, purchased by Wern Farms." The exceptions, while conceding the milk in question to be approved for consumption in Chicago, claim it to be no part of the Chicago supply. The basis for making a distinction susceptible of general application under the order between Chicago approved milk which is part of the Chicago supply and that which is not is not apparent in the record.

Exception also was taken to the recommended decision on the ground that the Chicago approved milk sought by the proponent to be released from regulation was not within the regulatory jurisdiction of the Federal Government, in that, allegedly, it was not in interstate commerce or affected interstate commerce in milk and its products. The conclusion was not supported by the record and the exception is without merit.

Findings and conclusions. The findings and conclusions set forth in the FEDERAL REGISTER (F. R. Doc. 48-7891, 13 F. R. 5158) with respect to this issue are approved and adopted as the findings and conclusions of this decision as if set forth in full herein. Such findings and conclusions provide for no change in the order currently in effect or in the marketing agreement heretofore tentatively approved by the Secretary of Agriculture.

This decision filed at Washington, D. C., this 25th day of October 1948.

[SEAL] A. J. LOVELAND,
Acting Secretary of Agriculture.

[F. R. Doc. 48-9510; Filed, Oct. 23, 1948; 8:47 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR, Parts 8, 13]

[Docket No. 6913]

SHIP SERVICE AND COMMERCIAL RADIO OPERATORS

FURTHER NOTICE OF PROPOSED RULE MAKING AND NOTICE OF DESIGNATION FOR GENERAL PUBLIC HEARING AND ORAL ARGUMENT

1. Notice is hereby given of further proposed rule making in the above-entitled matter. Notice is also given that the above-entitled matter is hereby designated for general public hearing and oral argument to be held in Washington, D. C., commencing at 10:00 a. m. on November 22, 1948.

2. On April 5, 1948, the Commission released a notice of proposed rule making in this matter. This proposal is in three parts, as follows:

a. The first part proposes that if the radar is capable of being normally operated, in accordance with law and the rules and regulations of the Commission, by exclusively external controls, the master of the radar equipped ship, or a person responsible to him and authorized by him, may, even though not holding a radio operator license issued by this Commission, conduct the normal operation of the radar aboard ship.

b. The second part proposes that all adjustments or tests during or coincident with the installation, servicing, or maintenance of the radar while it is radiating energy must be performed by or under the immediate supervision and responsibility of individuals holding valid first or second class radio operator licenses, either radiotelephone or radiotelegraph.

c. The third part proposes that the issuance of a ship radar station license shall be subject to the condition that the station licensee, in relation to the proper operation of the station in accordance with the radio law and the rules and regulations of the Commission, will be represented on board the radar-equipped vessel by the person who at any given time occupies the position of master.

3. Comments on the above proposal were received from a number of manufacturers and a number of radar user groups. No comment for or against the third part was received. General agree-

ment was expressed with the first part. Some comment of approval was received on the second part, but on this part the general nature of the comment was adverse.

4. After consideration of all the available comments, some of which specifically requested a hearing on the pending proposal, and after consideration of all other information available to it, including especially that based upon observations and experience in connection with examinations of radar equipment looking to type approval, the Commission has concluded that it would be in the public interest to modify the original proposal in this matter and to designate the matter of the proposal as so modified for general public hearing and oral argument.

5. The modified proposal is set forth below. Authority to issue this proposal is contained in sections 303 (f) (g) (l) (r) and 318 of the Communications Act of 1934, as amended.

6. As above indicated the date for the hearing and oral argument in this matter is November 22, 1948. Interested parties may submit comments or briefs in writing until November 15, 1948. An original and 14 copies of all such statements, briefs or comments shall be furnished the Commission. All interested parties who wish to appear and participate fully in the hearing shall notify the Commission in writing to that effect not later than November 17, 1948. The notification should refer to Docket 8913, should set forth the names of all witnesses to be called, and should estimate the amount of time required for the presentation of testimony, exhibits and oral argument.

Adopted: October 21, 1948.

Released: October 22, 1948.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

The text or substance of the proposed amendments to Part 8 of the Commission's rules governing Ship Service and to Part 13 governing Commercial Radio Operators are as follows:

1. Section 8.195 of Part 8 would be amended by adding thereto a new paragraph "o" reading as follows:

(o) *Radio operator requirements.* (1) No radio operator license is required for the normal operation on board ship of ship radar stations licensed in the Ship Service: *Provided,* That the following conditions are met or provided for by the licensee of the station.

(i) The radar equipment shall be capable of being normally operated in accordance with the radio law and the rules and regulations of the Commission by means of exclusively external controls, and

(ii) Normal operations in accordance with subdivision (i) of this subparagraph, must be performed exclusively by the master of the radar-equipped ship or by one or more other persons responsible to him and authorized by him to do so.

(2) All adjustments or tests during or coincident with the installation, servicing, or maintenance of the equipment while it is radiating energy must be performed by or under the immediate supervision and responsibility of persons holding a first or second class radio operator license, radiotelephone or radiotelegraph, containing a ship radar operator endorsement, who shall be responsible for the proper functioning of the equipment in accordance with the radio law and the Commission's rules and regulations and for the avoidance and prevention of harmful interference from improper transmitter external effects, provided, however, that nothing in this sub-paragraph shall be construed to prevent persons not holding such licenses so endorsed from making replacements of fuses or of receiving-type tubes.

(3) Nothing in this paragraph shall be construed to change or diminish in any respect the responsibility of any ship radar station licensee for having and maintaining control over the station licensed to him, or for the proper functioning and operation of such station in accordance with the terms of the station license.

2. Section 8.195 of Part 8 would be further amended by adding thereto a further new paragraph "p" reading as follows:

(p) *Installation and maintenance record.* (1) The station licensee of each ship radar station shall provide and require to be kept at the station a permanent installation and maintenance record. Entries in this record shall be made by or under the personal direction of the responsible installation, service, or maintenance operator concerned in each particular instance, but the station licensee shall have joint responsibility with the responsible operator concerned for the faithful and accurate making of such entries as are required by this paragraph.

(2) Each entry in this record shall be personally signed by the responsible operator concerned.

(3) The following entries shall be made in this record:

(i) The date and place of initial installation.

(ii) Any necessary steps taken to remedy any interference found to exist at the time of such installation.

(iii) The nature of any complaint (including interference to radio communication) arising subsequent to initial installation, and the date thereof.

(iv) The reason for the trouble leading to the complaint, including the name of any component or component part which failed or was misadjusted.

(v) Remedial measures taken, and the date thereof.

(vi) The name, license number, and date of the ship radar operator endorsement on the first or second class radio operator license of the responsible operator performing or immediately supervising the installation, servicing, or maintenance.

3. Section 8.195 (b) of Part 8 would be amended to read as follows:

(b) *Application for license and condition of issuing license.* (1) Applications for ship radar station licenses shall be made in accordance with the provisions of Part 1 of the Commission's rules and regulations.

(2) Any license issued shall be subject to the condition that the station licensee, in relation to the proper operation of the station in accordance with the radio law and rules and regulations of the Commission, will be represented on board the radar-equipped vessel by the person who at any given time occupies the position of master.

4. Section 13.1 of Part 13 would be amended by substituting the following text of Footnote 4 thereof to read as follows:

[4] By § 8.195 (o) of the rules governing Ship Service the Commission has provided that no radio operator license is required for the normal operation on board ship of ship radar stations licensed in the Ship Service, *Provided,* That certain conditions therein specified are met or provided for by the licensee of the station. See § 8.195 (o).

5. Section 13.61 of Part 13 would be amended to define the operating authority of holders of first or second class radio operator licenses, radiotelephone or radiotelegraph, containing ship radar operator endorsements.

6. Part 13 would be otherwise amended wherever appropriate so as to provide for a "ship radar operator endorsement" to be added to first or second class radio operator licenses, radiotelephone or radiotelegraph, such endorsement to be based upon the general radio qualifications of not less than a radiotelephone second class operator license; to provide for an examination for such endorsement in matters exclusively relating to radar; and to include references to such endorsement wherever appropriate in this part.

[F. R. Doc. 48-9527; Filed, Oct. 28, 1948; 8:52 a. m.]

FEDERAL TRADE COMMISSION

[16 CFR, Ch. I]

[File No. 21-305]

CANVAS COVER INDUSTRY

NOTICE OF HEARING AND OF OPPORTUNITY TO PRESENT VIEWS, SUGGESTIONS, OR OBJECTIONS IN THE MATTER OF PROPOSED TRADE PRACTICE RULES

At a regular session of the Federal Trade Commission held at its office in the city of Washington, D. C., on the 26th day of October 1948.

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, partnerships, corporations, organizations, or other parties (including consumers), affected by or having an interest in the proposed trade practice rules for the Canvas Cover Industry, to present to the Commission their views concerning said rules, including such pertinent information, suggestions, or objections as they may desire to submit, and to be heard in the premises. For this purpose they may obtain copies of the proposed rules upon request to the Commission. Such views, information, suggestions, or objections may be submitted by letter, memorandum, brief, or other communication, to be filed with the Commission not later than November 22, 1948. Opportunity to be heard orally will

be afforded at the hearing beginning at 10 a. m., November 22, 1948, in Room 532, Federal Trade Commission Building, Pennsylvania Avenue at Sixth Street NW., Washington, D. C., to any such persons, partnerships, corporations, organizations, or other parties (including consumers) who desire to appear and be heard. After due consideration of all matters presented in writing or orally, the Commission will proceed to final action on the proposed rules.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 48-9516; Filed, Oct. 23, 1948; 8:48 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Bureau of Customs

[T. D. 52076]

"NO CONSUL" LIST

ADDITION OF CERTAIN PLACES IN THE BRITISH WEST INDIES

OCTOBER 25, 1948.

In accordance with a recommendation from the Department of State, the following places in the British West Indies are hereby added to the "No consul" list (1947) T. D. 51797, as amended.

St. John, Antigua.
Plymouth, Montserrat.
Basseterre, St. Kitts.

Consular invoices covering merchandise from the above-named places will be accepted if certified under the provisions of section 482 (f) Tariff Act of 1930.

[SEAL] W. R. JOHNSON, *Deputy Commissioner*

[F. R. Doc. 48-9530; Filed, Oct. 28, 1948; 8:53 a. m.]

United States Coast Guard

[CGFR 48-55]

TERMINATION OF APPROVAL OF EQUIPMENT

By virtue of the authority vested in me as Commandant, United States Coast Guard, by R. S. 4405, 4417a, 4418, 4426, 4433, 4434, 4491, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e) 55 Stat. 244, as amended (46 U. S. C. 367, 375, 391a, 392, 404, 411, 412, 489, 1333, 50 U. S. C. 1275; 46 CFR Part 52) the following approval is terminated because the item is no longer being manufactured:

Termination of Approval No. 162.003/33/0, Model V hot water heating boiler, Blue Jacket ship heater, welded steel plate construction, vertical Scotch type, oil fired, Dwg. Nos. H-103A rev. July 12, 1943, and H-104A rev. July 12, 1943, heating surface 28 to 57 sq. feet, approved for sizes Nos. 4024, 4030, 6030, and 6036, maximum working pressure 30 p. s. i., manufactured by Way-Wolff Associates, Inc., 33 Fulton Street, New York 7, N. Y.

CONDITIONS OF TERMINATION OF APPROVAL

The termination of approval of equipment made by this document shall be made effective upon the thirty-first day after the date of publication of this document in the FEDERAL REGISTER. Notwithstanding this termination of approval on any item of equipment, such equipment manufactured before the effective date of termination of approval may be used so long as it is in good and serviceable condition.

Dated: October 22, 1948.

[SEAL] J. F. FARLEY, *Admiral, U. S. Coast Guard, Commandant.*

[F. R. Doc. 48-9528; Filed, Oct. 28, 1948; 8:52 a. m.]

[CGFR 48-54]

APPROVAL OF EQUIPMENT AND CORRECTION OF PRIOR DOCUMENT

By virtue of the authority vested in me as Commandant, United States Coast Guard, by R. S. 4405 and 4491, as amended (46 U. S. C. 375, 489), and section 101 of Reorganization Plan No. 3 of 1946 (11 F. R. 7875), as well as the additional authorities cited with specific items below, the following correction of a prior document and the approvals of equipment are prescribed, and the approvals shall be effective for a period of five years from date of publication in the FEDERAL REGISTER unless sooner canceled or suspended by proper authority.

CLEANING PROCESSES FOR LIFE PRESERVERS

NOTE: Where buoyancy fillers are not removed from envelope covers during cleaning process.

Approval No. 160.006/16/0, Select cleaning process for kapok life preservers with permanently installed buoyant inserts, as outlined in letter of September 10, 1948, from the Select Laundry, 2510 Filbert Street, Oakland 7, Calif.

(R. S. 4417a,, 4426, 4488, 4492, 35 Stat. 428, 49 Stat. 1544, 54 Stat. 164, 166, 346, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 396, 404, 481, 490, 526e, 526p, 1333, 50 U. S. C. 1275; 46 CFR 160.006-4)

BUOYANT CUSHIONS, NON-STANDARD

NOTE: Cushions are for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.008/398/0, 16" x 16" x 2" rectangular buoyant cushion, 25 oz. kapok, U. S. C. G. Specification 160.008, Dwg. dated September 13, 1948, manufactured by Fortier Upholstering Co., Manistee, Mich.

Approval No. 160.008/399/0, 15" x 18" x 2" rectangular buoyant cushion, 25 oz. kapok, U. S. C. G. Specification 160.008, Dwg. dated September 11, 1948, manufactured by Fortier Upholstering Co., Manistee, Mich.

(54 Stat. 164, 166; 46 U. S. C. 526e, 526p; 46 CFR 25.4-1, 28.4-8)

LIFEBOATS

Approval No. 160.035/164/0, 26' x 9' x 3.25' steel, oar-propelled lifeboat, 50-person capacity, identified by General Arrangement Dwg. No. G-367-D dated March 5, 1946, and revised November 14, 1946, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York, N. Y.

Approval No. 160.035/189/0, 28' x 9' x 3.96' steel, oar-propelled lifeboat, 59-person capacity, identified by Construction and Arrangement Dwg. No. 3205 dated February 11, 1947, manufactured by the Welin Davit and Boat Division of the American Steel & Copper Industries, Inc., Perth Amboy, N. J.

Approval No. 160.035/194/1, 35.0' x 12.33' x 5.25' steel, hand-propelled lifeboat, 135-person capacity, identified by Construction and Arrangement Dwgs. No. 1871 dated December 11, 1940, and revised August 21, 1947, and No. 2976 dated April 5, 1945, manufactured by the Welin Davit and Boat Division of the American Steel & Copper Industries, Inc., Perth Amboy, N. J. (Supersedes Approval No. 160.035/194/0 published in the FEDERAL REGISTER April 1, 1948.)

(R. S. 4417a, 4426, 4481, 4488; 4492, 35 Stat. 428, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 396, 404, 474, 481, 490, 1333, 50 U. S. C. 1275; 46 CFR 37.1-1, 59.13, 76.16, 94.15, 113.10)

BOILERS, HEATING

Approval No. 162.003/61/1, Size 3824-8C Way-Wolff hot water heating boiler, welded steel plate construction, vertical fire tube, oil fired, Dwgs. No. H-110-1 and No. H-110-E, Rev. 1, maximum working pressure 30 p. s. i., manufactured by Way-Wolff Associates, Inc., 33 Fulton Street, New York 7, N. Y. (Supersedes previous approval No. 162.003/61/0 published in the FEDERAL REGISTER May 1, 1948, due to change in boiler designations.)

Approval No. 162.003/62/0, Size 3830-8C Way-Wolff hot water heating boiler, welded steel plate construction, vertical fire tube, oil fired, Dwgs. No. H-110-1 and No. H-110-E, Rev. 1, maximum working pressure 30 p. s. i., manufactured by Way-Wolff Associates, Inc., 33 Fulton Street, New York 7, N. Y.

Approval No. 162.003/63/0, Size 5730-8C Way-Wolff hot water heating boiler, welded steel plate construction, vertical fire tube, oil fired, Dwgs. No. H-110-1 and No. H-110-D, Rev. 5, maximum working pressure 30 p. s. i., manufactured by Way-Wolff Associates, Inc., 33 Fulton Street, New York 7, N. Y.

Approval No. 162.003/64/0, Size 5736-8C Way-Wolff hot water heating boiler, welded steel plate construction, vertical fire tube, oil fired, Dwgs. No. H-110-1 and

No. H–110–D, Rev. 5, maximum working pressure 30 p. s. i., manufactured by Way-Wolff Associates, Inc., 33 Fulton Street, New York 7, N. Y.

Approval No. 162.003/65/0, Size 1920–8C Way Wolff hot water heating boiler, welded steel plate construction, vertical fire tube, oil fired, Dwgs. No. H–110–1 and No. H–110–F Rev. 4, maximum working pressure 30 p. s. i., manufactured by Way-Wolff Associates, Inc., 33 Fulton Street, New York 7, N. Y.

Approval No. 162.003/66/0, Size 6930–10C Way-Wolff hot water heating boiler, welded steel plate construction, vertical fire tube, oil fired, Dwgs. No. H–110–1 and No. H–110–B, Rev. 5, maximum working pressure 30 p. s. i., manufactured by Way-Wolff Associates, Inc., 33 Fulton Street, New York 7, N. Y.

Approval No. 162.003/67/0, Size 6936–10C Way-Wolff hot water heating boiler, welded steel plate construction, vertical fire tube, oil fired, Dwgs. No. H–110–1 and No. H–110–B, Rev. 5, maximum working pressure 30 p. s. i., manufactured by Way-Wolff Associates, Inc., 33 Fulton Street, New York 7, N. Y.

Approval No. 162.003/68/0, Size 6948–10C Way-Wolff hot water heating boiler, welded steel plate construction, vertical fire tube, oil fired, Dwgs. No. H–110–1 and No. H–110–B, Rev. 5, maximum working pressure 30 p. s. i., manufactured by Way-Wolff Associates, Inc., 33 Fulton Street, New York 7, N. Y.

Approval No. 162.003/74/0, Size 4630–10C Way-Wolff hot water heating boiler, welded steel plate construction, vertical fire tube, oil fired, Dwgs. No. H–110–1 and No. H–110–G, Rev. 1, maximum working pressure 30 p. s. i., manufactured by Way-Wolff Associates, Inc., 33 Fulton Street, New York 7, N. Y.

Approval No. 162.003/75/0, Size 4636–10C Way-Wolff hot water heating boiler, welded steel plate construction, vertical fire tube, oil fired, Dwgs. No. H–110–1 and No. H–110–G, Rev. 1, maximum working pressure 30 p. s. i., manufactured by Way-Wolff Associates, Inc., 33 Fulton Street, New York 7, N. Y.

(R. S. 4417a, 4418, 4426, 4433, 4434, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 392, 404, 411, 412, 1333, 50 U. S. C. 1275; 46 CFR Part 52)—

STRUCTURAL INSULATIONS

Approval No. 164.007/25/0, "PC Foamglas" cellulated glass type structural insulation identical to that described in manufacturer's pamphlet No. G2508 revised 10–47, and National Bureau of Standards' letter file 10.2/10.2, FP2628 dated August 25, 1948, and file 10.2 dated October 8, 1948, approved for use without other insulating materials as meeting Class A–60 requirements in a 4-inch thickness and 10 pounds per cubic foot density, manufactured by Pittsburgh Corning Corp., 632 Duquesne Way, Pittsburgh 22, Pa.

(R. S. 4417a, 4426, 49 Stat. 1384, 1544, 54 Stat. 346, 1028, and sec. 5 (e) 55 Stat. 244, as amended; 46 U. S. C. 367, 369, 391a, 404, 463a, 1333, 50 U. S. C. 1275; 46 CFR Part 144)

CORRECTION OF PRIOR DOCUMENT

The following corrections shall be made on Coast Guard Document CGFR 47–38, F R. Document 47–7118, filed July 30, 1947, and published in the FEDERAL REGISTER dated July 31, 1947, 12 F R. 5185 et seq., under the heading "Davits, Lifeboat" in Approval No. 160.032/66/0:

Approval No. 160.032/66/0, Mechanical davit, straight boom sheath screw, Type B, approved for maximum working load of 13,500 pounds per set (6750 pounds per arm) using not less than 6 part falls, identified by General Arrangement Dwgs. No. 2203 dated February 18, 1942, and No. 2203–A dated June 22, 1942, manufactured by Welin Davit and Boat Division of the American Steel & Copper Industries, Inc., Perth Amboy, N. J. (The listing in FEDERAL REGISTER July 31, 1947, 12 F. R. 5205, corrected to show increased approved working load.)

Dated: October 22, 1948.

[SEAL] J. F. FARLEY,
Admiral, U. S. Coast Guard, Commandant.

[F. R. Doc. 48–9529; Filed, Oct. 28, 1948; 8:53 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[732744]

ARIZONA, CALIFORNIA AND IDAHO

REVOCATION OF ORDERS OPENING LANDS UNDER THE FOREST HOMESTEAD ACT

Correction

In Federal Register Document 48–9297, appearing on page 6223 in the issue for Friday, October 22, 1948, the following corrections should be made:

1. In the table under Coconino National Forest, Ariz., the land description for List No. 3–4263 should read as follows: "T. 22 N., R. 6 E., G. & S. R. M., sec. 27, SE¼NE¼SW¼, containing 10 acres." The third list number should read 3–4456.

2. Under Trinity National Forest, Calif., the land description for List No. 5–767 should read as follows: "T. 4 N., R. 6 E., H. M., sec. 18, S½SW¼SW¼NE¼, W½NW¼NE¼NW¼, W½SW¼SE¼NW¼, SE¼SW¼SE¼NW¼, E½SW¼NE¼SW¼, and W½SE¼NE¼SW¼, containing 27.50 acres."

3. Under Boise National Forest, Idaho, the land description for List No. 4–1373 should read as follows: "T. 2 N., R. 6 E., B. M., sec. 3, NE¼NW¼SE¼NE¼, NW¼NW¼SE¼NE¼, SE¼NW¼SE¼NE¼, NE¼SW¼SE¼NE¼, and SE¼SW¼SE¼NE¼, containing 12.50 acres.

Bureau of Reclamation

SHOSHONE PROJECT, WYOMING

COMMUNITY CENTER RESERVATION

JULY 16, 1948.

The act of October 5, 1914 (38 Stat. 727) authorizes the Secretary of the Interior to withdraw from other disposition and reserve for county parks, public playgrounds and community centers for the use of the residents, tracts of lands not exceeding 20 acres in one project or the several units of the projects undertaken under the provisions of the act of June 17, 1902 (32 Stat. 388)

A recent field investigation has disclosed that the following described tract of land is required for community center purposes by a group of settlers on the Willwood Division of the Shoshone Project who reside in an isolated section of the division and in a different county than the majority of settlers in the division. These settlers are at the present time required to travel from 10 to 14 miles to attend community meetings.

In view of the above it is recommended that the following described land, now withdrawn under the first form as provided by section 3 of the act of June 17, 1902 (32 Stat. 388) by Departmental Order of April 2, 1929, be withdrawn from other disposition and reserved as a community center under the provisions of the act of October 5, 1914 (38 Stat. 727)

SHOSHONE PROJECT, WYOMING

SIXTH PRINCIPAL MERIDIAN

T. 54 N., R. 97 W.,
Sec. 7 SW¼SE¼NE¼.

The above area aggregates 10 acres.

G. E. TOMLINSON,
Acting Commissioner

I concur August 17, 1948.

MARION CLAWSON,
Bureau of Land Management.

The above described lands are hereby reserved as recommended and the Director of the Bureau of Land Management will cause the records of his office and the District Land Office to be noted accordingly.

WILLIAM E. WARNE,
Assistant Secretary.

SEPTEMBER 3, 1948.

[F. R. Doc. 48–9508; Filed, Oct. 28, 1948; 8:46 a. m.]

MISSOURI BASIN PROJECT, MONTANA

FIRST FORM RECLAMATION WITHDRAWAL

JULY 2, 1948.

Pursuant to the authority delegated by Departmental Order No. 2238 of August 16, 1946 (43 CFR 4.410), I hereby withdraw the following-described lands from public entry, under the first form of withdrawal, as provided by section 3 of the act of June 17, 1902 (32 Stat. 388)

MISSOURI BASIN PROJECT; CANYON FERRY UNIT

PRINCIPAL MERIDIAN, MONTANA

T. 10 N., R. 1 W.,
Sec. 4, Lot 9;
Sec. 5, Lots 7 and 8.

The above areas aggregate 81.46 acres.

WESLEY R. NELSON,
Assistant Commissioner, Bureau of Reclamation.

I concur. The records of the Bureau of Land Management and the District Land Office will be noted accordingly.

OCTOBER 7, 1948.

ROSCOE R. BELL,
Assistant Director, Bureau of Land Management.

Notice for filing objections. Notice is hereby given that for a period of 30 days from the date of publication of this notice, persons having cause to object to the terms of the above order, withdrawing certain public lands in the State of Montana for use in connection with the Canyon Ferry Unit, Missouri Basin project, Montana, may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C.

In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent and extent. Should any objection be filed, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

WESLEY R. NELSON,
Assistant Commissioner,
Bureau of Reclamation.

[F. R. Doc. 48-9507; Filed, Oct. 28, 1948; 8:46 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 8638, 8842, 9174]

WINCHESTER BROADCASTING CORP. ET AL.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Winchester Broadcasting Corporation, Winchester, Virginia, Docket No. 8638, File No. BP-6187; Richard Field Lewis, Jr. (WINC), Winchester, Virginia, Docket No. 8842, File No. BP-6242; for construction permits, and Richard Field Lewis, Jr., Winchester, Virginia, Docket No. 9174, File No. BRH-54; for renewal of license of Radio Station WINC-FM.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 20th day of October 1948;

The Commission having under consideration the above-entitled application for renewal of license of Radio Station WINC-FM, Winchester, Virginia; and

It appearing, that the Commission on February 20, 1948, designated for hearing the application of Winchester Broadcasting Corporation (File No. BP-6187) requesting construction permit for a new standard broadcast station to operate on 1270 kc, 1 kw, daytime only, at Winchester, Virginia, said designation being predicated in part on charges made against Winchester Broadcasting Corporation by Richard Field Lewis, Jr., and

It further appearing, that on March 18, 1948, the Commission designated for hearing the application of Richard Field Lewis, Jr. (File No. BP-6242) for construction permit to change frequency and power of Station WINC, Winchester, Virginia, from 1400 kc, 250 w, unlimited time, to 950 kc, 500 w, 1 kw-LS, using a directional antenna at night, unlimited time, to be heard in a consolidated proceeding with the aforesaid application of Winchester Broadcasting Corporation, said designation being predicated in part on countercharges made against the said Lewis by the Winchester Broadcasting Corporation, which is scheduled to be heard on April 18, 1949 at Winchester, Virginia;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application of Richard Field Lewis, Jr., for renewal of license of Radio Station WINC-FM, be and it is hereby, designated for hearing in a consolidated proceeding, with the said application of Winchester Broadcasting Corporation for construction permit, and the said application of Richard Field Lewis, Jr., for construction permit, upon the following issue:

(1) To determine the qualifications of the applicant, Richard Field Lewis, Jr., to continue the operation of Station WINC-FM, particularly with reference to the truth or falsity of the above charges made against Winchester Broadcasting Corporation by the said Lewis and of the counter-charges against Lewis by the said Winchester Broadcasting Corporation.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-9521; Filed, Oct. 28, 1948; 8:50 a. m.]

[Docket No. 9172]

WACHUSETT BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Donald L. Coleman, Albert E. Keleher, J. Gordon Keyworth, and James L. Spates a partnership d/b as Wachusett Broadcasting Company, Fitchburg, Massachusetts, for construction permit; Docket No. 9172, File No. BP-6652.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 21st day of October 1948;

The Commission having under consideration the above-entitled application requesting a permit to construct a new standard broadcast station to operate on the frequency 1460 kilocycles, with 500 watts power, daytime only in Fitchburg, Massachusetts;

It is ordered, That pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application be, and it is hereby, designated for hearing at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

2. To determine whether the operation of the proposed station would involve objectionable interference with station WAAB, Worcester, Massachusetts, or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

3. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

4. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations with particular reference to those provisions pertaining to the assignment of stations where objectionable interference would be received to a field intensity contour greater than that specified for a station of its class.

It is further ordered, That, The Yankee Network Incorporated, licensee of Station WAAB, Worcester, Massachusetts, be, and it is hereby, made a party to this proceeding.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-9522; Filed, Oct. 28, 1948; 8:51 a. m.]

[Docket No. 9164]

RADIO CORP. OF ARIZONA, INC.

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Radio Corporation of Arizona, Inc., Phoenix, Arizona, for construction permit; Docket No. 9164, File No. BP-6607.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 21st day of October 1948;

The Commission having under consideration the above-entitled application for a construction permit for a new standard broadcast station to operate on 1450 kc, 250 w power, unlimited time, at Phoenix, Arizona;

It is ordered, That, pursuant to section 309 (a) of the Communications act of 1934, as amended, the said application be, and it is hereby, designated for hearing at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

2. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, or with the services proposed in any other pending

applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

3. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations with particular reference to coverage of the Phoenix metropolitan area.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-9523; Filed, Oct. 28, 1948; 8:51 a. m.]

[Docket No. 9173]

WOOSTER REPUBLICAN PRINTING CO.

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of The Wooster Republican Printing Company (WWST), Wooster, Ohio, for modification of license to increase power from 500 watts to one kilowatt; Docket No. 9173, File No. BML-1307.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 21st day of October 1948;

The Commission having under consideration the above-entitled application for modification of license of Station WWST, operating on the frequency 960 kilocycles, with 500 watts power, daytime only to increase power from 500 watts to one kilowatt and also having under consideration a petition filed by Evening News Association licensee of Radio Station WWJ, Detroit, Michigan, that said application be designated for hearing and that Evening News Association be made a party thereto;

It is ordered, That the petition of Evening News Association be, and it is hereby, granted and that, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application of The Wooster Republican Printing Company be, and it is hereby, designated for hearing at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of Station WWST as proposed and the character of other broadcast service available to those areas and populations.

2. To determine whether the operation of Station WWST as proposed would involve objectionable interference with Stations WWJ, Detroit, Michigan, and WICA, Ashtabula, Ohio, or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

3. To determine whether the operation of Station WWST as proposed would involve objectionable interference with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

4. To determine whether the installation and operation of Station WWST as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

It is further ordered, That Evening News Association, licensee of Radio Station WWJ, Detroit, Michigan, and WICA, Incorporated, licensee of Radio Station WICA, Ashtabula, Ohio be, and they are hereby, made parties to the proceeding.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-9524; Filed, Oct. 28, 1948; 8:51 a. m.]

[Docket No. 9171]

CARL E. HAYMOND (KIT)

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Carl E. Haymond (KIT) Yakima, Washington, for construction permit; Docket No. 9171, File No. BP-6234.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 21st day of October 1948;

The Commission having under consideration the above-entitled application of Carl E. Haymond, requesting authorization to increase the power of Station KIT, Yakima, Washington, operating on 1280 kc, from 1 kw, unlimited time to 1 kw, night—5 kw day, and install a new transmitter;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application be, and it is hereby, designated for hearing at a time and place to be designated by subsequent order of the Commission, upon the following issue: To determine whether the installation and operation of station KIT as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations, particularly with respect to the population residing within the 500 mv/m and 250 mv/m contours of the station.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-9525; Filed, Oct. 28, 1948; 8:51 a. m.]

[Docket No. 9170]

MAISON-BLANCHE CO. (WRTV)

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Maison-Blanche Company (WRTV), New Orleans, Louisiana, for additional time in which to complete construction of TV Station WRTV New Orleans, Louisiana; Docket No. 9170, File No. BMPCT-318.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 21st day of October 1948;

The Commission having under consideration the above-entitled application of Maison-Blanche Company (File No. BMPCT-318) for additional time in which to complete construction of TV broadcast station WRTV, New Orleans, Louisiana; and

It appearing, that on January 16, 1947, the Commission granted the Maison-Blanche Company a construction permit for a TV broadcast station at New Orleans, Louisiana (File No. B3-PCT-78), and

It further appearing, that the construction of the TV broadcast station authorized on January 16, 1947 has not been completed, and the Commission being fully advised in the matter;

It is ordered, That pursuant to sections 309 and 319 of the Communications Act of 1934, as amended, the above-entitled application (File No. BMPCT-318) be, and it is hereby, designated for hearing at a time and place to be designated by the Commission upon the following issues:

1. To determine whether the Maison-Blanche Company has been diligent in proceeding with the construction of the television station at New Orleans, Louisiana, authorized by the construction permit granted January 16, 1947, File No. B3-PCT-78.

2. To determine whether it would be in the public convenience, interest or necessity to grant the application of Maison-Blanche Company, File No. BMPCT-318, for additional time in which to construct a TV broadcast station at New Orleans, Louisiana, authorized by the Commission on January 16, 1947—File No. B3-PCT-78.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-9526; Filed, Oct. 28, 1948; 8:51 a. m.]

FEDERAL TRADE COMMISSION

[Docket No. 5539]

WILLIAM A. REED CO.

ORDER APPOINTING TRIAL EXAMINER

At a regular session of the Federal Trade Commission, held at its office in the city of Washington, D. C., on the 22d day of October A. D. 1948.

In the matter of William A. Reed Company, a corporation, and Albert J. Sylk, individually, and as an officer of said corporation, and Albert J. Sylk, William H. Sylk, Harry S. Sylk, Morris Soble, and Bernard Weinberg, copartners operating as William A. Reed Company.

This matter being at issue and ready for the taking of testimony and the receipt of evidence, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Clyde M. Hadley, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law.

It is further ordered, That the taking of testimony and the receipt of evidence begin at a time and place to be later designated by the Trial Examiner.

Upon completion of the taking of testimony and receipt of evidence in support of the allegations of the complaint, the Trial Examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The Trial Examiner will then close the taking of testimony and evidence and, after all intervening procedure as required by law, will close the case and make and serve on the parties at issue a recommended decision which shall include recommended findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law, or discretion presented on the record, and an appropriate recommended order; all of which shall become a part of the record in said proceeding.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 48-9515; Filed, Oct. 28, 1948; 8:48 a. m.]

[Docket No. 5530]

STEELCO STAINLESS STEEL, INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the city of Washington, D. C., on the 20th day of October A. D. 1948.

In the matter of Steelco Stainless Steel, Inc., a corporation, and Clyde C. Carr, an individual.

This matter being at issue and ready for the taking of testimony and the receipt of evidence, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Frank Hier, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law.

It is further ordered, That the taking of testimony and the receipt of evidence begin on Thursday, November 4, 1948, at ten o'clock in the forenoon of that day (eastern standard time) in Courtroom 859, Federal Building, Detroit, Michigan.

Upon completion of the taking of testimony and receipt of evidence in support of the allegations of the complaint, the Trial Examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The Trial Examiner will then close the taking of testimony and evidence and, after all intervening procedure as required by law, will close the case and make and serve on the parties at issue a recommended decision which shall include recommended findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law, or discretion presented on the record, and an appropriate recommended order; all of which shall become a part of the record in said proceeding.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 48-9514; Filed, Oct. 28, 1948; 8:47 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Return Order 200]

HOPE MACMICHAEL GARIBALDI

Having considered the claim set forth below and having issued a Determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the Determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant and Claim No., Notice of Intention To Return Published, and Property

Hope MacMichael Garibaldi, Rome, Italy, 31821, August 27, 1948 (13 F. R. 5016); $33,170.10 in the Treasury of the United States. All right, title, interest and claim of any kind or character whatsoever of Hope MacMichael Garibaldi in and to a trust created under the Will of Morton McMichael, deceased.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on October 22, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON, *Assistant Attorney General, Director, Office of Alien Property.*

[F. R. Doc. 48-9503; Filed, Oct. 27, 1948; 8:52 a. m.]

[Vesting Order 11550, Amdt.]

HACHIRO YUASA

In re: Stock owned by Hachiro Yuasa.

Vesting Order 11550, dated June 25, 1948, is hereby amended as follows and not otherwise:

A. By deleting from subparagraph 1 of the aforesaid Vesting Order 11550 the name "Hachiro Yuaia", and substituting therefor the name "Hachiro Yuasa"

B. By deleting subparagraph 2 of the aforesaid Vesting Order 11550, and substituting therefor the following:

2. That the property described as follows: Seventeen (17) shares of $1.00 par value capital stock of Massachusetts Investors Second Fund, Inc., 19 Congress Street, Boston, Massachusetts, a corporation organized under the laws of the State of Delaware, evidenced by certificate numbered NU12135 for fourteen (14) shares and certificate numbered SF22928 for three (3) shares, registered in the name of Hachiro Yuasa, together with all declared and unpaid dividends thereon, and any cash arising out of a special distribution of capital gains,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan)

All other provisions of said Vesting Order 11550 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on October 15, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON, *Assistant Attorney General, Director, Office of Alien Property.*

[F. R. Doc. 48-9502; Filed, Oct. 27, 1948; 8:52 a. m.]

[Vesting Order 12131]

ANNA B. LINDEMANN AND HAWAIIAN TRUST CO., LTD.

In re: Trust under agreement between Anna B. Lindemann, settlor and the Hawaiian Trust Company, Ltd., dated December 28, 1935. File No. F-28-14917-G-3.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Elsa Schultze whose last known address is Germany is a resident of Germany and a national of a designated enemy country (Germany)

2. That the heirs, names unknown, of Elsa Schultze, who there is reasonable cause to believe are residents of Germany are nationals of a designated enemy country (Germany),

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof and each of them, in and to and arising out of or under that certain trust agreement dated December 28, 1935, by and between Anna B. Lindemann, as Settlor and the Hawaiian Trust Company, Ltd., as Trustee, presently being administered by the Hawaiian Trust Company, Ltd., Honolulu 2, Hawaii, as Trustee,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to or which is evidence of ownership or control by the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof and the heirs, names unknown, of Elsa Schultze are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 4, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-9532; Filed, Oct. 28, 1948; 8:53 a. m.]

[Vesting Order 12132]

ADELE L. MAUTZ AND FIRST NATIONAL BANK OF CHICAGO

In re: Trust under agreement between Adele L. Mautz, donor and The First National Bank of Chicago; trustee. File D 28-4087 G-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Diether Jitschin, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatsoever of the person identified in sub-paragraph 1 hereof, in and to and arising out of or under that certain trust agreement dated March 13, 1935, by and between Adele L. Mautz, donor and First National Bank of Chicago, Trustee, and in and to all property held thereunder by the First National Bank of Chicago, Trustee,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the above person identified in subparagraph 1 is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 4, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-9533; Filed, Oct. 28, 1948; 8:53 a. m.]

[Vesting Order 12140]

MARGARET SEVES

In re: Estate of Margaret Seves, a/k/a M. Seves and as Margareta Doak, deceased. File No. D-28-12371, E. T. sec. 16607.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Johann Carl Zeder, Elisabetha Pohlman, Hans Klughardt, Karl Klughardt, Max Klughardt, Margarethe Klughardt, Jette Klughardt, Erwin Erhard Pirner, George Johann Zeder, Gottfried Johann Rasp, Karl Rasp, Anna Barbara Grimm, Karl Zeder, Martha Zeder, Frieda Zeder and Emil Zeder, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the domiciliary personal representatives, heirs, next-of-kin, legatees and distributees, names unknown, of Jette Klughardt, of George Johann Zeder, and of Karl Rasp, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany)

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof in and to the Estate of Margaret Seves, also known as M. Seves and as Margareta Doak, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany)

4. That such property is in the process of administration by Phil C. Katz, as administrator, acting under the judicial supervision of the Superior Court of the State of California, City and County of San Francisco, California;

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof, and the domiciliary personal representatives, heirs, next-of-kin, legatees and distributees, names unknown, of Jette Klughardt, of George Johann Zeder, and of Karl Rasp, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 4, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F R. Doc. 48-9534; Filed, Oct. 28, 1948; 8:53 a. m.]

[Vesting Order 12148]

PETER DENING

In re: Estate of Peter Dening, deceased File No. D-28-10220; E. T. sec. 14566.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Christine Wohlert, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof, in and to the estate of Peter Dening, deceased, is property payable or deliverable to, or claimed by the aforesaid national of a designated enemy country (Germany),

3. That such property is in the process of administration by Henry Hansen, Durant, Iowa, Administrator, acting under the judicial supervision of the District Court of the State of Iowa, Cedar County,

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 5, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-9537; Filed, Oct. 28, 1948; 8:54 a. m.]

[Vesting Order 12152]

EMMA SCHINDLER

In re: Estate of Emma Schindler, deceased. File D-28-12429. E. T. 16649.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Teresa Buechle, Sophie Buechle, Benedict Buechle, Frances Schindler and Marie Burger, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, and each of them, in and to the estate of Emma Schindler, deceased, is property payable or deliverable to, or claimed by the aforesaid nationals of a designated enemy country (Germany)

3. That such property is in the process of administration by Mrs. Anna Blumm, 3422 Corrine Avenue, Cincinnati, Ohio, Executrix, acting under the judicial supervision of the Probate Court, Hamilton County, Ohio,

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 5, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-9535; Filed, Oct. 28, 1948; 8:53 a. m.]

[Vesting Order 12184]

ANNA SCHMAUSS

In re: Trust under Will of Anna Schmauss, deceased. File No. D-28-12039; E. T. sec. 16236.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Josefine Frohlich Wedl, Josef Wolfgang Frohlich, Max Frohlich, Mela Frohlich Schrenk, Herman Frohlich, Anneliese Frohlich, and Otto Frohlich, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the domiciliary personal representatives, heirs at law, next of kin, legatees and distributees, names unknown, of Ludwig Frohlich, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany)

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the trust created under the will of Anna Schmauss, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany)

4. That such property is in the process of administration by The Third National Bank, Rockford, Illinois, as trustee, acting under the judicial supervision of the Circuit Court, in Chancery, of Winnebago County, Illinois;

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof and the domiciliary personal representatives, heirs at law, next of kin, legatees and distributees, names unknown, of Ludwig Frohlich, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 11, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-9536; Filed, Oct. 23, 1948; 8:54 a. m.]

[Vesting Order 12219]

HARUZO ROY HARUKI

In re: Cash owned by Haruzo Roy Haruki. F-39-6271.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Haruzo Roy Haruki, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan)

2. That the property described as follows: Cash in the sum of $518.91, presently in the possession of the Treasury Department of the United States in Trust Fund Account, Symbol 158915, "Deposits, Funds of Civilian Internees and Prisoners of War," and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 18, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General.
Director, Office of Alien Property.

[F. R. Doc. 48-9501; Filed, Oct. 27, 1948; 8:52 a. m.]

[Vesting Order 12220]

TADASO IZUMITA

In re: cash owned by Tadaso Izumita. F-39-6276.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Tadaso Izumita, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan)

2. That the property described as follows: Cash in the sum of $783.89, pres-

ently in the possession of the Treasury Department of the United States in Trust Fund Account, Symbol 158915, "Deposits, Funds of Civilian Internees and Prisoners of War," and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Tadaso Izumita, the aforesaid national of a designated enemy country (Japan)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 18, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-9538; Filed, Oct. 28, 1948; 8:54 a. m.]

[Vesting Order 12224]

ERNEST H. L. MUMMENHOFF

In re: Stock owned by Ernest H. L. Mummenhoff. F-28-22772-D-1, F-28-22772-D-2; F-28-22772-D-3.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ernest H. L. Mummenhoff, whose last known address is Loogestieg 6, Eppendorf, Hamburg, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows:

a. Three (3) shares of no par value common capital stock of Virginia-Carolina Chemical Corporation, 627 East Main Street, Richmond 8, Virginia, a corporation organized under the laws of the State of Virginia, evidenced by a certificate numbered NYCO-3979, registered in the name of Ernest H. L. Mummenhoff, together with all declared and unpaid dividends thereon,

b. All rights and interests in, to and under one nondenominational certificate of deposit for five (5) shares of $100 par value preferred stock of the Virginia-Carolina Chemical Company, 627 East Main Street, Richmond 8, Virginia, said certificate bearing the number 1525, registered in the name of Ernest H. L. Mummenhoff, including the right to exchange said certificate for two and one half (2½) shares of common stock of the Virginia-Carolina Chemical Corporation, together with all declared and unpaid dividends on such new stock.

c. Four (4) shares of $100 par value common capital stock of The Baltimore and Ohio Railroad Company, Baltimore and Charles Streets, Baltimore, Maryland, a corporation organized under the laws of the States of Maryland and Virginia, evidenced by a certificate numbered A-205893, registered in the name of Ernest H. L. Mummenhoff, together with all declared and unpaid dividends thereon, and

d. Two (2) shares of $100 par value preferred stock of The Baltimore and Ohio Railroad Company Baltimore and Charles Streets, Baltimore, Maryland, a corporation organized under the laws of the States of Maryland and Virginia, evidenced by a certificate numbered B-78006, registered in the name of Ernest H. L. Mummenhoff, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 18, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-9539; Filed, Oct. 28, 1948; 8:54 a. m.]

[Vesting Order 12230]

FORTRA, INC.

In re: Property owned by Fortra, Inc.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation:

1. It having been found and determined by Vesting Order 713, dated January 18, 1943, as affirmed by § 500.41, as amended, of the Rules of the Office of Alien Property, Department of Justice, that Fortra, Inc., a New York corporation, New York, New York, is controlled by or acting for or on behalf of a designated enemy country (Germany) or a person within such country and is, therefore, a national of the aforesaid designated enemy country (Germany),

2. It is hereby found that the property described as follows: All property in the United States of Fortra, Inc., of any nature whatsoever, including particularly but not limited to those certain debts or other obligations of the Chemical Bank & Trust Company, 165 Broadway, New York, New York, arising out of a special account in the name of Fortra, Inc., and a regular account in the name of Fortra, Inc., and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that Fortra, Inc., is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein had and shall have the meanings prescribed in section 10 of Executive Order 9095, as amended by Executive Order 9193.

Executed at Washington, D. C., on October 20, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-9541; Filed, Oct. 28, 1948; 8:54 a. m.]